2006 State Cost Share Manual

TABLE OF CONTENTS

Soil and Water Conservation Commission Administrative Regulations

416 KAR 1:010: Administration of Kentucky Soil Erosion and Water Quality Cost Share Fund.

RELATES TO: KRS 146.080-146.121, KRS Chapter 262, KRS 224.71-100 to 224.71-140.

STATUTORY AUTHORITY: KRS 146.110-146.121.

NECESSITY AND FUNCTION: KRS 146.110-146.121 authorize the Soil and Water Conservation Commission to promulgate administrative regulations governing administration of the Kentucky Soil Erosion and Water Quality Cost Share Fund. The fund provides cost share assistance to persons engaged in agricultural and silvicultural production for implementation of best management practices for such purposes as providing cleaner water through the reduction in the loading of sediment, nutrients, and pesticides in Kentucky streams, rivers, and lakes; and reducing the loss of topsoil vital to the sustained production of food and fiber; and preventing surface water and groundwater pollution. This administrative regulation establishes criteria for participation in that cost share program.

Section 1. Definitions.

(1) Agricultural or Silvicultural Production. Any farm operation on a tract of land, including all income-producing improvements and farm dwellings, together with other farm buildings and structures incident to the operation and maintenance of the farm, used for the production of livestock, livestock products, poultry, poultry products, milk, milk products, or silviculture products or for the growing of crops such as, but not limited to tobacco, corn, soybeans, small grains, fruit and vegetables, or devoted to and meeting the requirements and qualifications for payments to agriculture programs under an agreement with the state or federal government.

(2) Agriculture Water Quality Plan. A document incorporating the conservation plan, compliance plan, or forest stewardship management plan as necessary to prevent ground water and surface water pollution from an agricultural or silvicultural production.

(3) Applicant. A person who applies for cost share assistance from the Kentucky Soil Erosion and Water Quality Cost Share Fund.

(4) Available Funds. Monies budgeted, unobligated, and approved by the Soil and Water Conservation Commission for cost share assistance.

(5) Best Management Practices. The most effective, practical, and economical means of reducing and preventing water pollution for agricultural or silvicultural production provided by the USDA Natural Resources Conservation Service and the Soil and Water Conservation Commission. Best management practices shall establish a minimum level of acceptable quality for planning, siting, designing, installing, operating, and maintaining these practices.

(6) Case File. The collection of materials that are assembled and maintained for each application for cost share assistance.

(7) Compliance Plan. A conservation plan containing best management practices developed for persons engaged in agricultural production by the USDA Natural Resources Conservation Service in conjunction with local conservation districts as required for eligibility under the Federal Food Security Act.

(8) Conservation District or district. A subdivision of state government organized pursuant to KRS 262 for the specific purpose of assisting persons engaged in agricultural or silvicultural production in solving soil and water resources problems, setting priorities for conservation work to be accomplished, and coordinating the federal, state, and local resources to carry out these programs.

(9) Conservation Plan. A plan describing best land management practices, including an installation schedule and maintenance program which, when completely implemented, will improve and maintain soil, water, and related plant and animal resources of the land in accordance with the USDA Natural Resources Conservation Service Technical Guide or developed by others in accordance with the Technical Guide and in cooperation with a conservation district.

(10) Cost Share Assistance. Cost share funds awarded by the Commission from the Kentucky Soil and Water Quality Cost Share Fund.

(11) District Supervisor. A member of a conservation district's governing board.

(12) Ecosystem-Based Assistance Process. A specific application of a planning process that considers the integration of ecological, economic, and social factors to maintain and to enhance the quality of the environment to best meet current and future needs, which may include the following components:

(a) Inclusion of private land and public land within the watershed.

(b) Identification of and suggested solutions for various resource problems within the watershed.

(c) Establishment of opportunities for public participation in plan development and implementation.

(d) Inclusion of mechanisms for developing a comprehensive resource plan for the watershed and for reporting conservation accomplishments within the watershed.

(e) Identification and prioritization of local resource concerns and inclusion of mechanisms to address these concerns within the watershed.

(f) Development within current conservation district boundaries with coordination of plans across county lines for protection of the watershed.

(13) Eligible Land. Land on which agricultural or silvicultural production is being conducted.

(14) Eligible Person. A person eligible to apply for cost share assistance.

(15) Eligible Practices. Those best management practices that have been approved by the Commission.

(16) Forest Stewardship Management Plan. A plan developed by the Kentucky Division of Forestry or other cooperating entities that establishes practices for a person engaged in an agricultural or silvicultural production to manage forestlands in accordance with sound silvicultural and natural resource principles.

(17) Groundwater. Subsurface water occurring in the zone of saturation beneath the water table and any perched water zones below the B soil horizon.

(18) Obligated Funds. Monies from a conservation district's portion of the Kentucky Soil and Water Quality Cost Share Fund allocated by the Commission and committed to an applicant after final approval of the application for cost share assistance.

(19) Performance and Maintenance Agreement. A written agreement between an eligible person and the district in which the eligible person agrees to implement and to maintain the best management practices for which cost share assistance is being awarded.

(20) Program Year. The period of time from July 1 to June 30.

(21) Soil and Water Conservation Commission or Commission. The commission established by KRS 146.090.

(22) Surface Water. Those waters having well defined banks and beds, either constantly or intermittently flowing: lakes and impounded waters, marshes and wetlands, and any subterranean waters flowing in well defined channels and having a demonstrable hydrologic connection with the surface. Effluent ditches and lagoons used for waste treatment which are situated on property owned, leased, or under valid easement by a permitted discharger shall not be considered to be surface waters of the Commonwealth.

(22) Water Priority Protection Region. An area specifically delineated where water pollution from agricultural or silvicultural production has been scientifically documented.

(23) Watershed. All the area from which all drainage passes a given point.

Section 2. Eligibility of Persons.

(1) Eligible Persons. Persons conducting agricultural or silvicultural production are eligible to receive cost share assistance for best management practices if the following conditions are met:

(a) The person has prepared a conservation plan, a compliance plan, a forest management or forest stewardship plan, or an agriculture water quality plan.

(b) The person agrees to perform and to maintain best management practices for the period of time specified by the Commission.

(2) Ineligible Persons. A person engaged in agricultural or silvicultural production who has failed or refused to comply with agriculture water quality planning and has been deemed a "bad actor" under KRS 224.71-130 shall lose eligibility for further cost share assistance.

Section 3. Eligible Best Management Practices.

(1) Purposes of Best Management Practices. The Kentucky Soil Erosion and Water Quality Cost Share Funds shall be used to provide cost share assistance for development and implementation of best management practices for the following purposes:

(a) Providing cleaner water through the reduction of sediment loading of Kentucky streams, rivers, and lakes.

(b) Reducing the loss of topsoil vital to sustain production of food and fiber.

(c) Preventing surface water and groundwater pollution.

(2) Approved Best Management Practices. Complete listings of eligible best management practices are contained in the document entitled *Kentucky Soil Erosion and Water Quality Cost Share Manual* incorporated by reference in Section 13 of this administrative regulation.

(3) A district may request the Commission's approval of best management practices not included in the Commission's list of approved practices if those best management practices solve a problem unique to the requesting district and conform to one or more of the purposes listed in subsection (1) of this section. A request shall be filed in writing with the Commission in time for the Commission to review the request and to notify the district of its decision prior to the advertisement of the program for the next program year. Conservation practices may be included in a district's list of eligible practices offered for cost share assistance only if approved by the Commission in accordance with this subsection.

Section 4. Solicitation of Applications.

The Commission shall establish, for each program year, a deadline for submittal of applications for cost share assistance. Each conservation district shall provide an opportunity for persons within the district to submit applications in time for the next program year by advertising

the availability of cost share assistance in appropriate news media such as local newspapers, local radio stations, and any newsletters published by the district.

All applications shall be completed in the electronic software format and forwarded to the Kentucky Division of Conservation via e-mail or by a diskette.

Section 5. Contents of Applications.

(1) Contents of Application. In order to apply for cost share assistance, an applicant shall submit the application incorporated by reference in Section 13 of this administrative regulation to the conservation district in which the eligible land is located. The applicant shall append the following to the application:

(a) Any conservation plan, compliance plan, forest stewardship plan, or agriculture water quality plan in effect for the eligible land.

(b) If known to the applicant, or made in consultation with the appropriate technical agency, the anticipated total cost of the best management practice to be implemented and the percentage, if any, of the cost which the applicant proposes to bear, which percentage shall not be less than minimums established by the Commission for the particular best management practice.

(2) Completion of Applications. An applicant who does not have a conservation plan, compliance plan, forest stewardship plan, or agriculture water quality plan in effect for the eligible land or who has not determined the anticipated total cost of the requested best management practice, may request technical assistance from the conservation district in developing a best management practices plan and determining costs. When the best management practices plan has been developed and the anticipated total cost determined, the

application will be reviewed in accordance with the eligibility and prioritization criteria established by this administrative regulation.

Section 6. Review of Applications.

Each Conservation District shall review and determine the eligibility of all applications that were submitted to it by the established deadline. The board of supervisors for the district shall vote upon the eligibility at a meeting conducted in accordance with the Open Meetings Law, KRS 61.805 to 61.580, and record the outcome in the minutes for that meeting of the board of supervisors. A district supervisor who is also an applicant for cost share assistance shall not vote on eligibility. The district shall forward the applications to the Commission within 15 days after determining eligibility. A district may submit both individual applications for eligible lands within the district and watershed-based applications for eligible lands within the district.

Conservation Districts will no longer receive pages 3 and 4 of approved applications. After applicant completes an approved practice, the conservation district will complete items 1 through 7 of Section B, and item 1 of Section C, then forward to the Director of the Kentucky Division of Conservation. The Director will sign application and return to the Conservation District.

Section 7. Prioritization of Applications.

The Commission shall prioritize the applications of persons determined by the conservation districts to be eligible for cost share assistance and shall make the final award of cost share assistance.

(1) Classification of Priorities. Applications shall be prioritized based on the following criteria:

(a) Applicants conducting agricultural or silvicultural production needing animal waste management systems where animal waste has been identified by the Kentucky Natural Resources and Environmental Protection Cabinet as a water pollution problem.

(b) Applicants who are members of agricultural districts.

(c) Applicants who have implemented a conservation plan, a compliance plan, an agriculture water quality plan, or a forest stewardship plan and are part of a watershed where the ecosystem-based assistance process in ongoing.

(2) Applications within each classification identified in Subsection 1 of Section 7 shall be prioritized based on the following criteria:

(a) Presence of water pollution based on:

1. Notification by a local, state, or federal agency that the applicant's agricultural or silvicultural production has caused or contributed to water pollution.
2. Determination by the Kentucky Natural Resources and Environmental Protection Cabinet that surface water affected by the applicant's agricultural or silvicultural production is not meeting its designated use.
3. Identification by the Kentucky Natural Resources and Environmental Protection Cabinet of a water priority protection region encompassing the location of the applicant's agricultural or silvicultural production.
4. Other documentation of water pollution, such as a biological assessment.
5. Potential for development of water pollution from agricultural or silvicultural production in the watershed in which the applicant's agricultural or silvicultural production is being conducted.

(b) Types of water pollutants based on:

1. Animal waste.
2. Sediment run-off.
3. Nutrient loading.
4. Pesticide application, storage, and disposal.

(c) Proximity of pollutant to groundwater or surface water.

(d) Magnitude of water pollution.

(e) Location in designated water quality planning area based on the existence of one or more of the following:

1. An ecosystem-based assistance process.
2. A Federal Clean Water Act Section 319(h) demonstration area.
3. A well head protection area.
4. An agriculture water quality protection region.

Section 8. Allocation of Cost Share Assistance.

(1) The available funds received by the Commission for the cost share program shall be allocated to the conservation districts based on requests from districts approved by the Commission prior to each program year. The districts shall receive a share of the Kentucky Soil Erosion and Water Quality Cost Share Fund based on the Commission's approval of a district's initial request based on the objectives identified in Section 8 of this administrative regulation, and in accordance with the prioritization system established in Section 7 of this administrative regulation.

(2) The Commission shall retain ten percent (10%) of the available funds in a contingency fund to be allocated to assist persons engaged in agricultural or silvicultural productions and implementing the agriculture water quality program mandated by KRS 224.71.

Section 9. Design of Best Management Practices.

Once cost share assistance has been awarded by the Commission, the conservation district shall designate a technician to develop final design and layout for the approved best management practices.

Section 10. Execution of Performance and Maintenance Agreements.

After an applicant has been awarded cost share assistance and before the applicant receives payment of the cost share funds, the applicant and the conservation district shall execute a performance and maintenance agreement.

(1) Requirements of performance and maintenance agreements. The performance and maintenance agreement shall require the applicant to meet the following requirements:

(a) The applicant shall agree to perform those best management practices approved in accordance with this administrative regulation.

(b) The applicant shall agree to maintain approved best management practices for the expected life of each practice agreed upon in the performance and maintenance agreement.

(c) Upon completion of the approved best management practice, the applicant shall notify the district that the practice has been installed and shall provide to the district for its inspection all vouchers, bills, and receipts associated with the practice.

(d) The applicant shall agree that at the time of transfer of ownership of land where a best management practice has been applied using cost share assistance and the expected life

assigned the practice has not expired, the applicant shall execute a contract with the transferee requiring continuation of those practices until completed.

(e) The applicant shall agree that if the applicant destroys the best management practice installed or voluntarily relinquishes control or title of the land on which the installed practice has been established, and the new owner, heir, or operator does not agree in writing to properly maintain the practice for the remainder of its specified life span, the applicant shall refund all or part of the cost share assistance as determined by the district.

(f) The applicant shall agree that if the applicant does not maintain the approved best management practices on the schedule provided in the plan, the applicant shall forfeit the cost share assistance and the Commission shall be authorized to recover the funds disbursed.

(2) Effect of Performance and Maintenance Agreement. Requirements for performance and maintenance of best management practices applied using cost share assistance shall be established in the performance and maintenance agreement and reviewed with the applicant at the time of application submittal and before completion of a certification of practices.

(3) Refund of Funds Disbursed. The district may require a refund of cost share when an approved best management practice has not been performed or maintained in compliance with approved design standards and specifications for the practice during its expected life as agreed in the performance and maintenance agreement.

(4) Application for Future Cost Share Assistance. Best management practices that have been successfully completed and which later fail as the result of floods, drought, or other natural disasters, and not through any fault of the applicant, shall not prohibit the applicant from

applying for additional cost share assistance to restore the practices to their original design standards and specifications.

(5) Certification. Upon notification by the applicant that the approved best management practice has been completed and before disbursement of funds from the district, the appropriate technical agency shall certify to the district that the practice has been installed in accordance with the document entitled *Kentucky Soil Erosion and Water Quality Cost Share Manual* incorporated by reference in Section 13 of this administrative regulation.

(6) Limitations on Awards. Cost share assistance awarded to an applicant shall be limited to a maximum of seventy-five percent (75%) of the actual cost, not to exceed an amount approved by the Commission, for each best management practice with the assisted applicant providing twenty-five percent (25%) of the cost, which may include in-kind support, with a maximum of seven thousand, five hundred dollars ($7,500) per program year to each applicant or operation for all practices except for the more expensive animal waste storage practices which have a maximum of twenty thousand dollars ($20,000) per program year for each applicant or operation. Cost share assistance awarded to any one applicant or operation shall be limited to a maximum of twenty thousand dollars ($20,000) per program year. Cost share will be provided only for components included in the minimum design needed to solve or prevent the conservation problem. Cost share assistance may be used with federal or local cost share funds on the same practices as long as the total cost share payment does not exceed seventy-five percent (75%) of the practice cost. Cost share assistance shall not be awarded to best management practices in progress prior to cost share approval or practices previously installed by the applicant.

Section 11. Reporting and Accounting.

(1) District Reporting and Accounting. A district shall conduct the following reporting and accounting procedures:

(a) Maintain a control ledger showing the current request to the Commission and cost share funds obligated for approved application based on estimated cost.

(b) Submit a quarterly report to the Commission indicating the unobligated balance of allocated and disbursed cost share funds as shown on each ledger.

(c) Submit an annual progress report to the Commission showing accomplishments "to date" for the current program year.

(d) Assemble case files for each approved application, filed by program year, to contain the following:

1. The approved application for allocated funds.
2. A copy of the estimated cost sheet.
3. Certification of practice completion.
4. Applicant's vouchers, bills, or receipts.
5. Final designs for best management practices.
6. The performance and maintenance agreement.
7. Any amendments to the performance and maintenance agreement.
8. A map locating the practices.

(2) Commission Reporting and Accounting. The Commission shall conduct the following reporting and accounting procedures:

(a) Receive and maintain reports from districts showing the unobligated balance of allocated and disbursed cost share funds as shown on each ledger.

(b) Submit consolidated quarterly reports based on the reports from districts on the unobligated balance of the Kentucky Soil Erosion and Water Quality Cost Share Fund.

Section 12. Incorporation by Reference.

The document entitled *Kentucky Soil Erosion and Water Quality Cost Share Manual*, dated March 1, 1995, is hereby incorporated by reference. It is available for public inspection and copying, subject to copyright law, at the office of the Kentucky Division of Conservation, 663 Teton Trail, Frankfort, Kentucky 40601, between the hours of 8:00 a.m. and 4:30 p.m., excluding state holidays.

Example News Release

Conservation District Cost Share Program Announced

The _____ County Conservation District will be accepting requests for cost share funding under the Kentucky Soil Erosion and Water Quality Cost Share Program beginning _____ and extending through _____.

The Kentucky Soil Erosion and Water Quality Cost Share Program was created to help agricultural operations protect the soil and water resources of Kentucky. This program is a result of House Bill 377 that was passed in the 1994 General Assembly. This bill established annual cost share funds to be administered by conservation districts with priority given to animal waste related problems and agricultural district participants where pollution problems have been identified. Initial funding for the program will be provided by the Kentucky Department of Agriculture.

Funding for practices will be approved by the Soil and Water Conservation Commission at the Kentucky Division of Conservation, located in Frankfort, as funds are available.

For more information stop by the conservation district office located at _____

_____.

Monday through Friday from _____ a.m. to _____ p.m. Phone:_____.

Guidance to Cost Share Program Procedures

1. Local conservation districts will advertise a program, then begin to screen interested applicants based on approved criteria established by the Commission. (Conservation district office completes Page 1 of Form SCP-245 with interested applicants.)

2. Appropriate technical agency and/or conservation district staff visits potential applicants to evaluate practices and complete cost share application. (Technical agency completes page 2 of Form SCP-245)

3. Applications are reviewed and approved or denied by local conservation district.

4. Locally approved applications are forwarded to the Kentucky Division of Conservation.

5. The Commission will evaluate applications based on established criteria and earmark funds for qualified applications as funds are available.

6. An approval or disapproval notice is sent back to the conservation district with appropriate funds to install approved practices.

7. Once practice is installed to specifications, the landowner and the conservation district will co-sign the installation form and payment will be made from district to the landowner. Final cost share payment can not be paid to the applicant/landowner until completed, inspected, and approved by the technical agency.

8. The remainder of funds not used from the installation of a practice must be returned to the Kentucky Division of Conservation with copy of the completed installation forms. If installation does not occur, funds will be returned from the conservation district to the Kentucky Division of Conservation for redistribution. (Conservation district will submit copies of Pages 3 and 4 of Form SCP 245 to the Kentucky Division of Conservation after practice and forms are completed.) The conservation district must contact the Kentucky Division of Conservation to determine whether funds should be returned in case of excess funds or failure in installation of a practice.

9. Approved applicants have one (1) year to complete the practice.

10. Extensions will be granted for intervals of six (6) months with a maximum of two (2) extensions per approved application. After two extensions have been granted and expired, the conservation district shall return the allocated funds.

11. Contract modifications due to errors or omissions must be justified, in writing, to the Commission. Requests for contract modification that will increase cost share funding must be approved by the Commission and are subject to availability of funds.

12. Approved and completed cost share practices are subject to inspection by members or designees of the local conservation district and/or the Soil and Water Conservation Commission.

13. Applicants shall agree to maintain approved, completed conservation practices according to the provisions as defined in the Performance and Maintenance Agreement and the defined life span of the specific practice according to the technical agency's standards. (See page 20 for a standard compliance letter to be sent to landowners who violate the Performance and Maintenance Agreement.)

14. Conservation practices that are approved and completed are subject to an engineering spot check by the technical agency for design standards and specifications.

Field Office Questions on State Cost Share

Q. Can State Cost Share and EQIP funds be used on the same practice?

A. State cost share policy allows use of other programs, but not to exceed 75% of cost. However, it has been decided that EQIP funds will not be used for the same practice as state cost share. NRCS does not want to be put into the position of the problems associated with splitting quantities and costs for two programs.

Q. In determining needs, is there a definition such as minimum number of animals, proximity to streams, etc.?

A. There is no definition in quantifiable terms. Technical determinations need to be made to assess the present or potential for effects of the operation on water quality. NRCS should base their decision in regard to whether or not the planned work solves the resource problem and if it is a practical solution to the resource problem.

Q. Animal Unit Calculations for Poultry: Whose figures do you use?

A. For purposes of filling out the state cost share application, use 250 birds per animal unit as listed in the State Cost Share Manual for program consistency and equity in applications. When designing the system and for land application purposes, use actual weights and management information to determine appropriately sized structures.

Q. If NRCS does not recommend a practice is needed and practical, do we sign the application?

A. To more clearly indicate what NRCS is certifying, the "NO" block would be checked on page 3 of the application, and NRCS would sign as an indication that the practice is not needed and practical.

Q. If a practice is needed and practical, but the landowner has requested a design that includes components which exceed the minimum needed to solve or prevent the conservation problem, will State Cost Share fund the practice?

A. State Cost Share will pay an amount equal to 75% of the minimum cost needed to solve or prevent the conservation problem, not to exceed $7,500 or $20,000. Cost of additional materials or services, or the cost difference for materials that exceed the minimum design need, will be the landowner's responsibility.

Q. Is the landowner required to insure his State Cost Share practice?

A. No, but the landowner is responsible for the structure for its entire lifespan and will be required to fix or replace the structure if it is damaged or destroyed.

Q. If a practice is funded that was determined as not needed by NRCS, does NRCS furnish technical assistance in installation of the practice?

A. Yes, NRCS will provide technical assistance, which is consistent with our partnership relationships with districts. As a reminder, practices must meet FOTG requirements when NRCS provides assistance.

Q. Are applications driven by farm number and/or tract?

A. Yes, this information needs to be on the electronic application submittal. Remember that state cost share has a maximum or cap of $20,000 per individual or operation in any one program year. See page 15, #6 in the cost share manual.

Q. A related question to the one above – Can more than one participant make an application on the same operation? (Situation: A poultry operation has three buildings and an application is filed for a litter storage building that will cost $26,000. The operation is going to expand by two buildings. Can a second application be filed by another person (such as a family member) during the same sign-up for a litter storage building to support the other two houses on the same operation to get another $20,000?)

A. The Commission looks at applications that have not received funding in the past as a high priority. We need to close this problem to state that the maximum or cap is for each individual and/or farming operation in any given program year.

Q. Can NRCS design a covered stack pad to support a non-NRCS designed covered feeding area?

A. Yes, as long as the stack pad is not attached to the feeding area. Exception: the feeding area is designed by a licensed engineer in Kentucky and certified to meet the structural requirements of NRCS Practice Standard Waste Storage Facility (313).

Q. Does the NRCS Waste Management Plan need to address the resource problem fully? Situation: A beef producer is operating a pasture feedlot that supports 500 animal units. The producer wants a covered feeding area w/stack pad to solve the resource concern. The producer wants to size the structure according to the state cost share limitation of $20,000.

A. NRCS should plan/design a system to effectively address the entire operation. If state cost share can provide some cost assistance, that's great. NRCS should not simply design a $26,000 system to address a $100,000 problem!

Litter Storage Buildings:

Q. What about previous designs based with posts on top of concrete?

A. If funds have already been approved, that's OK.

Q. What about non-NRCS designs such as Agri-Vision?

A. Non-NRCS designs are acceptable for state cost share as long as a non-NRCS engineer (PE) certifies that the structure meets the structural loading requirements as stated in the 313 standard.

Q. When cost estimate is over $20,000, is an as-built comparison still needed? Agri-vision may not separate costs of trusses, tin, 2 x 4's etc.

A. An average cost of $6.10 to $9.50 per sq. ft. as per page 10 of 12 in the state average cost list could be used for comparison.

Q. As far as tin on building sides, can state cost-share be paid if not on a NRCS design such as Agri-Vision?

A. Yes, most NRCS designs require siding to be placed to within 2' of girders to prevent rain blowing in on litter and increasing the fire hazard.

Q. *In reference to the six types of litter storage buildings in Kentucky Bulletin 300-1-5, will NRCS provide designs and construction plans for Truss Arch w/wood Pony Wall-Quick Cover standard design buildings?*

A. Yes, these have been approved and furnished to field engineers.

Q. *If an operation has been cited for a water quality violation and the producer needs to cover a feeding area, loafing area, etc., will state cost share pay the fees for a professional engineer?*

A. No.

Q. *Under KSW3, rotational grazing, are permanent fences eligible or do we have to use temporary fences to split up fields?*

A. The incentive rate of $15/acre is intended to cover the cost of temporary fences for dividing paddocks or fields to allow rotational grazing. So, temporary fence is not eligible as a cost share measure.

Permanent fencing is only allowed in the Cost Share Policy table for "protecting developed or existing water supplies from pollution by livestock". Therefore, unless you were fencing a stream, pond, etc. permanent fencing would not be an eligible component. Permanent fencing would not be authorized for dividing paddocks/fields.

Q. *I have a landowner approved for the KSW3 in 2000. Included in his plan was a pipeline/tank. He has also applied for CRP and can get a pipeline and tank through that program. Can he still get the planned practices (incentive and pasture planning) through KSW3 and the pipeline and tank through CRP?*

A. From the information given, I'm assuming the KSW3 practice covers a pasture field that joins a stream that is being fenced and a buffer practice between the fence and stream is under CRP. The pipeline/tank then would be eligible for cost share under state cost share or CRP. The critical thing is that the KSW3 acreage and the CRP buffer acreage CANNOT be the same.

In addition, for CRP purposes, the pipeline/tank installation should be limited to the original field(s) adjacent to the stream and should be limited to one pipeline/tank installation per field. If the original field is divided into sub-fields or paddocks under state cost share (KSW3), then the pipeline/tank systems serving those sub-fields should be cost shared under the state cost share program.

Instructions for Completing Cost Share Application (Hard Copy)

A. Applicant Information

1.
Enter name and address of applicant who will receive cost share payment. (In the Case of a Conservation District Environment Grant, this would be the name of the appropriate conservation district. All Environmental Grants must be submitted in hard copy.

2.a.
Enter the last two numbers of the calendar year in which the applicant is requesting cost share.

2.b.
Enter the county number based on the following alphabetical number sequence:

1. Adair	31. Edmonson	61. Knox	91. Nicholas
2. Allen	32. Elliott	62. LaRue	92. Ohio
3. Anderson	33. Estill	63. Laurel	93. Oldham
4. Ballard	34. Fayette	64. Lawrence	94. Owen
5. Barren	35. Fleming	65. Lee	95. Owsley
6. Bath	36. Floyd	66. Leslie	96. Pendleton
7. Bell	37. Franklin	67. Letcher	97. Perry
8. Boone	38. Fulton	68. Lewis	98. Pike
9. Bourbon	39. Gallatin	69. Lincoln	99. Powell
10. Boyd	40. Garrard	70. Livington	100. Pulaski
11. Boyle	41. Grant	71. Logan, N & S	101. Robertson
12. Bracken	42. Graves	72. Lyon	102. Rockcastle
13. Breathitt	43. Grayson	73. McCracken	103. Rowan
14. Breckinridge	44. Green	74. McCreary	104. Russell
15. Bullitt	45. Greenup	75. McLean	105. Scott
16. Butler	46. Hancock	76. Madison	106. Shelby
17. Caldwell	47. Hardin	77. Magoffin	107. Simpson
18. Calloway	48. Harlan	78. Marion	108. Spencer
19. Campbell	49. Harrison	79. Marshall	109. Taylor
20. Carlisle	50. Hart	80. Martin	110. Todd
21. Carroll	51. Henderson	81. Mason	111. Trigg
22. Carter	52. Henry	82. Meade	112. Trimble
23. Casey	53. Hickman	83. Menifee	113. Union
24. Christian	54. Hopkins	84. Mercer	114. Warren
25. Clark	55. Jackson	85. Metcalfe	115. Washington
26. Clay	56. Jefferson	86. Monroe	116. Wayne
27. Clinton	57. Jessamine	87. Montgomery	117. Webster
28. Crittenden	58. Johnson	88. Morgan	118. Whitley
29. Cumberland	59. Kenton	89. Muhlenburg	119. Wolfe
30. Daviess	60. Knott	90. Nelson	120. Woodford

2.c.
Enter the number of the application according to the order in which it was submitted.

3.
Enter the applicant's phone number. (Enter conservation district's for environmental grant.)

4.
Indicate whether or not project is within an Agricultural District.

5.
Indicate whether or not applicant possesses ownership of more than one farm. (Omit when submitting a grant on multiple farms.)

6.
Indicate whether or not cost share funds need to be divided due to a partnership or joint ownership. (Omit when submitting a grant on multiple farms.)

7.
Indicate whether or not applicant would be willing to allow cost shared practice to be part of a district field day or demonstrations.

8.a.
Indicate whether or not applicant has a Conservation, Compliance, or Stewardship plan in effect.

8.b.
Indicate whether or not applicant has an individual agriculture water quality plan on file in the conservation district office.

9.
Indicate whether or not the EBA process of identifying resource concerns, prioritizing, and developing alternatives within watersheds has started.

10.
Indicate whether or not applicant has requested any other federal, state, or local cost share assistance for this practice.

11.a.
Indicate with an "X" any funding sources which may cost share on practice requested.

11.b.
Indicate whether or not applicant has previously received State Cost Share funds for **any** practice. If the applicant has received approved cost share and cancelled or not completed the practice in the required time, the question should be answered “yes”.

11.c.
Indicate number of years application has been filed and not received approved cost share. If applicant has been approved for cost share in some years but has applied and not been approved in other years, enter the number of years the applicant has not been approved since the last time the applicant was approved. For example, if the applicant was approved for cost share in the 2001, but applied and was not approved in the years of 2002 and 2003, then for a 2004 application, the answer would be “2”. If the applicant was approved in 2003, then the answer would be “0.

12.
Indicate whether or not this practice request is for a corrective measures action or due to a Notice of Violation (NOV).

13.a.
Enter the practice symbol used to identify the requested practice. (Example: "KSW5" for Animal Waste Utilization.)

13.b.
Enter the practice name that cost sharing is being requested to implement. (Example: "Animal Waste Utilization" for KSW5.)

13.c.
Enter the cost share percent or per acre incentive payment for the practice requested. If practice has multiple year payments, then the payments for the following years should be listed as well. (Amounts cannot exceed maximum established by the Commission.)

13.d.
Enter the calendar year practices are planned to be applied. If the practice involves an incentive payment, then enter the calendar years that correspond to annual payment. (Example: KSW5-Animal Waste Utilization: $15/acre-1994, $10/acre-1995, $10/acre-1996.)

14.
Following the review of applicant requirements, applicant should sign and date in appropriate spaces. (No signature is necessary if the funds are to be requested by a conservation district as a grant.)

B. Practice Request Information

- Enter Farm Service Agency (FSA) farm number. (If farm number does not exist, leave blank.)

- Enter the same series of numbers as entered for the applicant on Page 1 of SCP-245. (If several farmers are applying for cost share under a grant, then there should only be one application ID number for the group.)

1.a.
Enter the 14-digit watershed number, as identified by NRCS, where practice will be installed. (If practice is located on the boundary of two watersheds, enter the number of watershed most affected by practice.)

1.b.
Enter distance in feet from an open sinkhole.

1.c.
Enter topographic quadrangle name on which practice will be located.

1.d.
Enter latitude from topographic map where practice will be located. (If practice covers an entire field or fields, then enter latitude of primary field.)

1.e.
Enter longitude from topographic map where practice will be located. (If practice covers an entire field or fields, then enter longitude of primary field.)

1.f.
Enter the appropriate watershed or area special designation for practice location if it has received special designation as one of the following:

319(h) Watershed	Outstanding Resource Watershed
EQIP Watershed	AWQA Priority Protection Area
Wellhead Protection	Local Project
Federal Wild River	Outstanding Resource Water TE Species
State Wild River	Federal Scenic River
Federal Recreation River	USDA/EPA Unified Priority Watershed

2.a.
Enter one of the following codes to identify the type of water problem:

Code	Type of Problem
1	Sediment
2	Animal Waste
3	Nutrients (inorganic)
4	Pesticides/Toxins
5	Salinity
6	Other

2.b.
Enter one of the following codes to identify the type of water body treated/protected:

Code	Type of Water Body
1	River, stream, or creek-perennial, flowing freshwater streams.
2	Lake, reservoir, or pond-inland bodies of water including lakes.
3	Wetland, swamp, prairie pothole or freshwater marshlands that have a predominance of hydric soils and that is inundated or saturated by surface or groundwater such that under normal circumstances it supports a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.
4	Estuary, bay or tidal marsh-regions of interaction between rivers (and other inland water bodies) and near-shore ocean waters, where tidal action and river flow create a mixing of fresh and salt water.
5	Groundwater (area)-the surface area that feeds an aquifer or other groundwater basin.

2.c.
Utilize the Kentucky Report to Congress on Water Quality Handbook or local water quality data to determine the pollution status of 14-digit watershed streams. Enter one of the following codes to indicate the severity of the pollution:

Code	Severity of Pollution
1	Designated use impaired-designated use is preclude (hindered or prevented) because of water pollution. (Waters not supporting designated uses.)
2	Designated use threatened-currently meets designated uses, but data or assessment information indicates an existing or potential downward trend in quality that, in the absence of additional management, will lead to impairment of designated uses within the next five years, or based on professional judgement, will lead to degradation of significant pristine and fragile waters. (Waters partially supporting designated uses.)
3	Impairment not determined-condition unknown, no data available. (Unknown or not assessed.)
4	Designated use met-no impairment of designated use. (Waters supporting designated uses.)

2.d.
Enter the approximate distance in feet from the pollution problem to the water body protected as identified in 2.b.

3.A.1.
Enter the name of the type of livestock pollution practice that will be addressed. Example: beef, swine, dairy, poultry, etc.

3.A.2.
Enter the number of months identified livestock or poultry are or will be confined annually. (Leave blank if applying for poultry composting facility.)

3.A.3.
Enter the number of animal units that will be served by the practice. (Animal unit = 1,000 lbs. Of live weight of livestock or poultry.) If poultry composting facility, estimate the animal units that will be composted annually.

The electronic version will automatically calculate the animal units months confinement.

Utilize the following factors for manual calculations for animal units:
1 dairy cow = 1.4 AU
1 dairy heifer = .7 AU
1 beef cow/calf = 1.5 AU
Poultry: 250 poultry animals = 1.0 AU (assumed average weight of four pounds)
Swine: Nursery pigs - average 30 lbs. Per animal
Feeder to finish - average 135 lbs. per animal
Farrow to finish - average 1400 lbs. Per animal (includes sow and litters)

Note: For poultry, only the greatest number of birds present at any one time during the year should be used for calculating animal units.

3.A.4.
Multiply entry in 3.A.2. by entry in 3.A.3. (3.A.2. x 3.A.3.)

3.B.1.
Enter in whole numbers the sheet and rill erosion rate, estimated in tons per acre per year, before practice installation.

3.B.2.
Enter in whole numbers the sheet and rill erosion rate, estimated in tons per acre per year, after planned practice installation.

3.B.3.
Enter the acres to which sheet and rill erosion rate applies.

3.B.4.
Multiply the difference between 3.B.1. and 3.B.2. by the acres listed in 3.B.3. to determine the estimated total soil savings. (3.b.1. - 3.B.2.) x 3.B.3.

3.C.1.
Enter in whole numbers any other erosion that may be occurring before practice installation. (Examples: gully, streambank, etc.)

3.C.2.
Enter in whole numbers other erosion, estimated in tons per year, after planned practice installation.

3.C.3.
Enter the total acres to which erosion rate applies.

3.C.4.
Multiply the estimated soil savings by the acres affected to determine total soil savings per year. (3.C.1. - 3.C.2.) x 3.C.3.

3.D.1.
Enter in whole numbers the units of N-Nitrogen, P-Phosphorus, and K-Potassium being applied per acre, per year before practice implementation. (Average the annual application of nutrients if various crops are being grown in a specific rotation.)

3.D.2.
Enter in whole numbers the estimated units of N, P, and K applied after planned practice installation.

3.D.3.
Enter the total acres to which nutrient rate applies.

3.D.4.
Enter the estimated total nutrient savings for the acres affected to determine total nutrient savings. Multiply the estimated nutrient savings by the acres affected.
(3.D.3. - 3.D.2.) x 3.D.3.

3.E.1.
Enter the code for the predominant crop being grown:

1) Alfalfa	5) Tobacco
2) Corn	6) Vegetable Crops
3) Soybeans	7) Ornamental Crops
4) Wheat or Small Grain	8) Other

3.E.2.
Enter the predominant tillage being used annually.
1) Conventional (<30% cover).
2) Minimum (30% - 90%).
3) No-till (90% or >).
4) Permanent Cover.

3.E.3.
Enter the total acres to which pesticide is being applied.

3.E.4.
Enter the current conditions of pesticide application:
Good: Applies according to label recommendations and little risk exists for groundwater or surface water contamination.
Fair: Applies according to label recommendations, but fields are located near surface water or in areas dependent on groundwater supply or with Karst features.
Poor: Application exceeds label recommendations and fields are located near surface water or in areas dependent on groundwater supply or with Karst features.

4.A.
Enter numeric amount of units to be installed on this specific practice.

4.B.
Enter unit that applies to quantity entered in 4.A. (feet, acres, ea.)

4.C.
Enter item that describes the component to be installed.

4.D.
Enter estimated total cost for installing practice items or components. Include all expected expenses that are approved for cost sharing for each item, plus landowner's in-kind services of labor and equipment. No entry is needed for practices that are cost shared with incentive payments.

4.E.
Enter the estimated cost share needed to install each item. This would be the approved cost share percentage multiplied by the estimated total cost of each item. If item is covered by an incentive payment, then multiply the total incentive payment per acre by the acres requested on application.

- Enter the sum of the cost share estimated in 4.E.
- NRCS indicates "Yes" or "No" as to practice needed and practical to solve the problem.
- A signature is required from the NRCS representative.
- If the Conservation District Board approves the request, the Board's Chairman signs, dates, and forwards to Division of Conservation.
- Application Rating determined by the Division of Conservation.

C. Practice Approval Information

The Conservation District shall complete 1 through 7 in this section.

Please Note:
After the Commission approves submitted cost share applications, Pages 4, 5, and 6 will not be returned partially completed to the Conservation Districts as in previous years.

Conservation Districts Shall Follow the Following Procedure:
When an approved practice has been completed, copy Pages 4, 5, and 6 from the 2005 Cost Share Manual, obtain all necessary signatures, and complete all applicable items. Forward the completed pages to the Director of the Division of Conservation. The Director will review, sign, and return to the Conservation District.

D. Installation Information

1. Practice Components Installed: Refer to page 4 of SPC 245 and enter the technical practice code, component name or description, units applied, estimated cost based on the state average cost list, and the total actual cost of installation based on bills of each practice/component. An example would be:

Practice	Component Description	Units	Est. Cost	Actual Cost
313	Animal Waste Facility	1 ea.	----------	----------
313	Earthmoving	3,000 CY.	$5,400.00	$6,0000.00
313	KY 31 Fescue	60 lbs.	$54.00	$52.00

2. Performance Report: Technical Agency enters "Yes" or “No” following a construction check that verifies if practice meets technical standards.

3. Date Performed: Technical agency enters the date when practice was completed to technical standards

   NRCS must sign and date to signify the determination made in D.2.

4. Total Installation Cost: Following the review of applicant's receipts, the conservation district enters the approved cost of installation.

5. Cost Share Payment: Enter the approved payment submitted from conservation district to applicant.

6. Check Number: The conservation district should enter the check number with which payment was made to applicant.

7. Excess Cost Share Funds: Enter amount if any funds remain after the cost share payment is made to applicant. This would be the difference between C.6. and D.5.
   (C.6. - D.5. = Excess Cost Share Funds)

8. Applicant's Social Security Number: Fill in applicant's social security number.

9. C.D. Payment Approval: The Chairman of the conservation district should initial and date here following the approval of cost share payment by the conservation district’s Board.

E. Certification and Maintenance

1. Enter "Yes" if applicant installed practice alone and paid all expenses. If "No" attach sheet with other parties listed as explained.

2. Applicant should read maintenance requirements and sign and date prior to receiving payment from the conservation district. The years of required maintenance should be entered for the specific practice code as specified in the Cost Share Manual.

Cost Share Application (Hard Copy)

SCP-245 Page 1

1. Name:_____ 2. Application ID: _____-_____-_____
Yr. Co. No.

Address:_____ 3. Phone:_____

City, Zip:_____ 4. Member of Ag. District? ____Yes ____No

5.a. Does applicant own other farms? ____Yes ____No

5.b. Is this a new farm operation? _____Yes ____ No

6. Does this practice involve a partnership or joint venture with others? ____Yes ____No

7. Is applicant willing for cost share practice to be part of a field day or demonstration? ____Yes ____No

8.a. Does applicant have an existing conservation plan, compliance plan or forest stewardship plan? ____Yes ____ No

8.b. Does applicant have an individual agriculture water quality plan on file at their conservation district office? ____ Yes ____ No

9. Has the Ecosystem Based Assistance Process begun in this watershed? ____Yes ____No

10. Has landowner requested other cost share assistance for this practice? ____ Yes ____ No

11.a. Other sources of possible funding: ____319(h) ____EQIP ____FIP ____SIP ____ HIP ____LTWS ____WHIP ____Local District ____Other ____Reset
11.b. Has applicant received State Cost Share funds for any practice previously? ____ Yes ____ No
11.c. Number of years application has been filed and not received approved cost share? ____

12. Is this practice request for a Corrective Measures Action or due to a Notice of Violation (NOV)? ____Yes ____No

13. Practice Requested:

a. Practice Symbol	**b**. Practice Name	**c.** Cost Share % or Incentive Payment	**d.** Year

14. Applicants' Request:

I request cost share assistance under this program to solve the problem described above. The practice is needed to conserve soil and water resources on the farm identified above and could not be performed to the extent requested and needed without state cost-sharing. I understand that in order to receive state cost share funds, the practice must be installed in accordance with NRCS standards and specifications and must be certified by an NRCS engineer. If cost-sharing is approved for the practice requested, I agree to refund all or part of the cost share assistance paid to me, as determined by the local conservation district, if before the expiration of the specified practice life span I (a) destroy the approved practice, (b) cease to use the practice for its intended purpose, or (c) voluntarily relinquish control or title to the land on which the approved practice has been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice for the remainder of its life span.

Applicants' Signature:_____ Date:_____

SCP-245 Page 2
B. Practice Request Information:

Farm Number: _____ Application ID: _____-_____-_____
Yr. Co. No.

1. Location:
   a. 14-Digit Watershed: _____
   b. Distance from open sinkhole: _____
   c. Topo Quad Name: _____
   d. Latitude (N/S): _____ e. Longitude (E/W): _____
   f. Watershed or area special designation (please see instructions): _____

2. Problem (See instructions for applicable codes):
   a. Problem Type: _____ b. Type of Water Body: _____
   c. Pollution Severity: _____ d. Distance from Water Body: _____

3. Extent:

A. Animal Waste:

1. Livestock Type:	
2. Confinement Months:	
3. Animal Units:	
4. AUM Confinement:	

B. Sediment (Sheet & Rill):

Before (tons/ac./yr.):	
After (tons/ac./yr.):	
Acres to Which Rate Applies:	
Total Soil Savings (tons/yr.):	

C. Gully Erosion (other erosion):

Before (tons/ac./yr.):	
After (tons/ac./yr.):	
Acres Affected:	
Total Soil Savings (tons/yr.):	

D. Nutrients (Inorganic-N,P,K):

Before (N,P,K/ac./yr.):	
After (N,P,K/ac./yr.):	
Acres Affected:	
Nutrient Reduction (N,P,K/yr.):	

E. Pesticides/Toxins:

Crop Code:	
Tillage Code:	
Acres Affected:	
Rating:	

SCP-245 Page 3

4. Estimated Quantities:

NRCS Practice Names:_____ Code:_____

A.	B.	C.	D.	E.
Quantities:	**Unit (ft./ac./ea.):**	**Item:**	**Estimated Total Cost ($):**	**Estimated Cost Share ($):**

Total Estimated Cost Share: $_____

This practice is needed and practical to solve the problem identified and can be installed according to NRCS conservation practice standards and specifications. ____ Yes ____ No

_____ _____

Signature: NRCS Representative **Date**

Total Estimated Cost Share Amount: $_____

_____ _____

Signature: Conservation District Supervisor **Date**

Local Conservation District Application Rating: _____

SCP-245 Page 4

C. Practice Approval Information

1. Farm No.: _____ 2. Tract: _____ 3. Application ID: _____-_____-_____
Yr. Co. No.

4. Practice: _____

5. Funds Requested: $ _____ 6. Funds Approved: $_____

7. Practice Installation Deadline: _____-_____-_____

Cost Share funds shall be returned to the Division of Conservation if practice is not installed by this date.

Signature:_____ _____
Kentucky Division of Conservation **Date**

D. Installation Information

1. **Practice and Components Actually Installed**: NRCS representative complete Exhibit 1 at the end of this application that identifies the conservation practice and the actual components and quantities installed. The cost figures included are from the NRCS state wide average cost list and/or engineer's estimate. This cost is furnished for comparison to the actual bills furnished to the district by the applicant for this practice.

2. **Performance Report**: The conservation practice and components listed on Exhibit 1 have been inspected by NRCS personnel. This practice installation meets NRCS technical standards, specifications, and is completed in accordance with approved plans furnished for this practice? ___Yes ____ No

3**. Date Performed:** The practice was completed to NRCS technical standards on: ___/___/____.

Signature: _____ _____
NRCS Representative **Date**

4. Total Installation Cost: $_____ 5. Cost Share Payment: $_____

6. Check No. _____ 7. Excess Cost Share Funds: $_____

8. Social Security No. of person receiving cost share funds: _____-_____-_____

Following a review of technical certification and cost comparison figures furnished by NRCS and the applicant's receipts furnished to the district, this practice has been performed to the extent required by the policy set forth in the Administrative Regulations established for the Kentucky Soil Erosion & Water Quality Cost Share Program, and is approved for the cost share payment as shown.

9. **C.D. Payment Approval:** _____ _____
Chairman, Conservation District Date

SCP-245 Page 5

E. Certification and Maintenance

1. Did you bear all the expenses (except for program cost-sharing) of performing this practice? _____ Yes _____No

   If No, report name and address of the other person(s) or agency who bore any part of the expenses. Also show kind, extent of, and value of their contribution.

2. Performance Maintenance Agreement:

   I certify that the above information is true and correct. I further certify that the entries in Exhibit 1 show that the practice was performed in accordance with the practice specifications and other program requirements. I hereby apply for payment to the extent that the Conservation District has determined that the practice has been performed. I agree to maintain this practice for at least _____ years following the year the practice is completed. I agree to refund all or part of the cost share assistance paid to me as determined by the Conservation District if, before the expiration of the practice's life span specified above, I (a) destroy the practice installed, (b) cease to use the practice for its intended purpose, or (c) voluntarily relinquish control or title to the land on which the installed practice has been established and the new owner and/or operator of the land does not agree, in writing, to properly use and maintain the practice for the remainder of its specified life span.

_____ _____

Signature, Applicant **Date**

EXHIBIT 1

A.	B.	C.	D.	E.
Practice Code	**Component Description**	**Units Applied**	**Estimated Cost**	**Actual Cost**

KSL12 - VEGETATIVE FILTER STRIPS

Purpose

The purpose of this practice is to control and retard soil erosion. Additionally, following this practice should reduce water, air or land pollution from agricultural non-point source.

Application

Apply this practice to cropland or other sensitive areas that are subject to erosion, soil, and nutrient or pesticide movements which constitute a pollution hazard.

Cost Share Policy

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
Establishment of permanent herbaceous vegetative barriers (selected perennial seed varieties need to attain sufficient height, thickness, and stiffness to retard erosion and filter runoff water)	To reduce soil erosion. To prevent water pollution.	✓	
• Minerals • Seed • Seedbed preparation • Seeding/Fence	To establish/maintain filter strip.	✓	
Fence.	Property boundary.		✓

Requirements

1. Weeds shall be controlled within the vegetative strips by mowing or with chemicals the year that the filter strips are seeded.
2. At least 1 mowing or chemical application on filter strips shall be performed without cost sharing in each subsequent year.
3. Chemicals used must be federally, state, or locally registered and applied strictly according to authorized registered uses on the label and other federal and state policies and requirements.
4. The Filter Strip shall be designed according to Criteria 2 as part of a Waste Management System of the Filter Strip Standard 393.

Environmental Concerns

Consideration shall be given to wildlife and environmental protection when designing this practice.

Practice Development
Utilizing the Heavy Use Area (561) component in conjunction with a Filter Strip (393) for addressing livestock concerns must be a part of an approved Waste Management System (312). Technical specifications may be incorporated by reference.

Cost Share Rate
The Commission has established a maximum of 75% cost share rate on actual expenses to establish vegetative filter strips not to exceed $7,500.00 per program year.

Specifications
Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Fence (Permanent Only)	382	20 yrs.
Filter Strip	393	10 yrs.
Field Borders	386	10 yrs.
Grade Stabilization Structure	410	15 yrs.

KSP53 - INTEGRATED CROP MANAGEMENT

Purpose
By using this practice as a system, it will help in the reduction of water, land, and air pollution and preserve soil fertility.

Application
Application to cropland to ensure that pesticides, nutrients, or both are applied in an efficient and environmentally sound manner while preserving the land primarily for agricultural production.

Requirements
KSP53 may not be approved for a county unless there is verification that qualified technical resources will be available. There is no limitation for the number of eligible farms in approved counties.

To be eligible for cost sharing producers must have an ICM system of farming developed in writing by an approved technical specialist (federal, state, or private) that will ensure that nutrients and pesticides are applied in an efficient and environmentally sound manner without reducing the operation's profitability.

Additionally, producers must provide adequate written documentation from the technical expert specifying pre- and post-application rates and methods for all nutrients and pesticides.

Producers must also agree to participate in the program for three (3) years.

Cost Share Policy

If Component is:	Authorized	Not Authorized
Pest management activities including: ◆Biological pest control services ◆Crop rotations ◆Field scouting ◆Planting host crops ◆Ridge till	✓	
Fertilizer management activities including: ◆Cover and green manure crops ◆Grasses and legumes in rotation ◆Leaf tissue analysis ◆Manure testing ◆Soil testing	✓	
A comprehensive cropping system that covers the major components of an ICM system already adopted by the producer.		✓
◆Fence ◆Measures primarily for the prevention of air pollution, unless the measures also have soil and water conserving benefits. ◆Plans for which the primary result is an increase in production. ◆Purchase of equipment		✓

ICM System Development

NRCS, CES, or private consultants who are certified by the Commission may develop ICM farming systems for producers. The Commission may authorize any combination of entities listed to be technically responsible for the practice.

NRCS or CES

The agency must have sufficient resources and skills to develop ICM systems.

Conservation Districts

When private consultants are selected, they must meet specific criteria. They must:

- Be certified by the Commission
- Possess a minimum of 30 college credit hours in any one or combination of the following:
  Soils, agronomy, plant physiology, plant pathology, horticulture, entomology, weed science
- Have general knowledge of agricultural production principles
- Demonstrate significant experience in ICM or additional specific training in designing and implementing ICM systems
- Recertify their qualifications once every three years
- Document they have attended at least 40 hours of continuing education during the last three years at any or a combination of the following:
  - College courses in agronomy, entomology, weed science, range or other agricultural related coursework.
  - Attendance at workshops or tours sponsored by CES, land grant universities, or agri-chemical representatives.
  - Attendance at national professional society meetings, such as the Soil and Water Conservation Society.

EXAMPLE: NRCS may develop an ICM system for a producer but a consultant or combination of consultants, CES and NRCS staff may implement the various system requirements.

NOTE: Private consultants that are affiliated or have a vested interest in the sales of agricultural chemicals or products will not be certified.

Conservation District Approval

ICM systems must be approved by the conservation district and should be compatible with and incorporated into a producer's compliance, conservation, or water plan, if applicable. The conservation district shall not approve ICM systems that will cause a significant increase in erosion or decreased water supply.

Technical Responsibility for SCP-245

Technical responsibility for certification of application shall be given to the agency that develops the ICM system. When a private consultant, who is certified by the Commission, develops the ICM system, NRCS will have a technical responsibility. The conservation district is ultimately responsible for certifying practice completion for payment purposes.

Acreage Minimum

Producers of non-specialty crops such as small grains, forage, hay, and row crops must enroll a minimum of 20 acres to participate in an ICM practice. Producers of specialty crops such as vegetables, berries, orchard, vineyards, or other specialty crops must enroll a minimum of 5 acres to participate in an ICM practice. Local districts may submit a group of applicants from the same watershed or close proximity that alone do not meet acreage requirements. These may be submitted as a Conservation District Environmental Grant - KSW9.

Examples of specialty and non-specialty crops:

Non-specialty Crops	Specialty Crops
Alfalfa	Berries
Barley	Fruits
Corn (silage or grain)	Ornamental horticulture
Grain sorghum	Potatoes
Hay	Tobacco
Oats	Truck crops
Pasture	
Popcorn	
Rye	
Soybeans	
Sunflowers	
Wheat	

AD-245

The conservation district office shall complete AD-245 when the producer has reported completion of the ICM practice and SCP-245 has been completed. The conservation district shall prepare AD-245 each year that the producer participates in the program. They should submit AD-245 to the Division of Conservation as soon as it has been completed. The conservation district should keep one copy in the producer's folder for future reference.

Cost Share Payments

Following approval, the Commission will submit the total cost share funds necessary for practice completion to the conservation district. Payments shall be made each year the producer uses the ICM system following the harvesting of crops and completion of AD-245. The total cost share funds received by the conservation district shall be distributed over the three-year period as mentioned earlier.

Partial Payments

When the ICM plan covers crops that are seeded at various times or are not seeded annually, partial payments may be issued after significant expenses incurred. Partial payments proportionate to the percent harvested may be made after harvest of **spring-seeded** crops. Final payment will be made after harvest of **fall-seeded** crops. For crops, vegetables or orchards that are not seeded annually or are planted several times per year, the Commission may establish guidelines for making one partial payment during the year after significant expenses are incurred.

Cost Share Rates and Limitations

The maximum cost share rate is 75 % of expenditures, not to exceed:

- $15.00 per acre for small grains, forage, hay, row and other non-specialty crops.
- $25.00 per acre for vegetables, berries, orchards, vineyards, or other specialty crops.
- $7,500.00 total, including incentive payments, per program year.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Nutrient Management Soil test Plant analysis Fertilizer application	590	1 yr.
Pest Management Pesticide application Biological control Cultural practices Resistant crop varieties	595	1 yr.
Record keeping	991	No Cost Share

KSP55 - PESTICIDE CONTAINMENT FACILITIES

Purpose

The purpose of this practice is to reduce pollution of water, land and air by pesticides.

Application

Apply this practice where the current method of handling pesticides is polluting or potentially polluting the soil and water resources. The facility must use over 100 pounds of active ingredients per person or farm.

Practice Policies

1. Before issuing state practice specifications, approved state offices shall consult representatives of the State Water Quality Agency, NRCS, and CES. Approved state offices must obtain concurrence in writing from NRCS and the state water quality agency of their agreement with the practice specifications. If changes to the specifications are requested, the Commission must approve them before the practice can be offered in the state.
2. A producer must agree to allow USDA representatives access to the site to review and evaluate KSP55.
3. The producer must implement a crop management system that uses pesticides in the most efficient and environmentally sound manner that is economically practicable. The producer must also agree to comply with all federal, state and local environmental laws and secure all necessary permits before starting construction.
4. The structure shall be made of sealed concrete or other similar material that will provide an impervious surface to minimize the potential for leaching and will provide functional and structural integrity for the design life.
5. An operation and maintenance plan for the facility must be developed. The system must be maintained for the functional life of the practice.
6. Rinsate and spillage must be disposed of according to the pesticide labeling requirements.
7. Any pipe must be entirely visible for inspection. A pipe may not pass through the concrete or equivalent material structure.
8. The structure must be situated to minimize any potential contamination of surface or ground water.
9. The structure must meet all state and local prescribed isolation distances.
10. Back-flow preventers must be installed if a water supply is available.
11. The system must be designed to contain at least 125 percent of the volume of the largest chemical tank that will be placed on the structure.
12. Using the pad for mixing or storage and handling of fertilizers is prohibited unless the operation and maintenance of the system is specifically designed for these purposes.
13. Protective runoff measures prescribed for the area on which these facilities are constructed must be performed before or concurrently with the installation of the facility.

Cost Share Policy

If Component is:	Authorized	Not Authorized
◆Diversions, channels, waterways, outlet structures ◆Fence ◆Formed concrete, rebar, and sealant ◆Land shaping, leveling and filling to permit installation ◆Liners, soil sealant, and bentonite ◆Permanent pumps, pipes, valves, and storage tanks ◆Seed and seeding on critical areas	✓	
◆Construction of walls ◆Disposal of rinsate or spillage ◆Remedial action to correct soil, water, or other resources affected by pesticide spillage		✓

Cost Share Rate

The maximum cost share rate for this practice is 75% of actual expenses to establish pesticide containment facility, not to exceed $7,500.00 total per program year.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Diversion	362	10 yrs.
Heavy Use Area Protection	561	10 yrs.
Pesticide Containment Facility	998	20 yrs.
Roof Runoff Management	558	15 yrs.
Subsurface Drain	606	20 yrs.

KSW1 - SINKHOLE PROTECTION

Purpose
The purpose of this practice is to reduce the direct pollution of groundwater from sediment, animal waste, pesticides, or other agricultural pollutants.

Application
Apply this practice in Karst areas where **open** sinkholes are causing or have potential to pollute groundwater supplies.

Eligibility for Cost Share

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
• Prevention of sediment from entering groundwater supply through sinkholes. • Stabilization of soil.	Stop or reduce erosion, which is actively occurring at greater than tolerable levels.	✓	
	• Improve farm aesthetics. • Improve wildlife habitat. • Improve drainage in sinkhole basins. • Prevent livestock or human injury.		✓
Reduction of : • Animal waste. • Chemicals. • Fertilizers. • Other pollutants.	Stop pollutants from entering the groundwater supply through open sinkholes.	✓	

Requirements
1. Landowners must agree to any changes in management necessary to improve effectiveness of the practice.
2. Landowners or operators have the responsibility of obtaining any applicable permits prior to the receipt of cost share funds.

Program Development
Conservation districts shall provide conditions required for cost sharing. Technical specifications may be incorporated by reference.

Cost Share Rate
The Conservation Commission has established a maximum of 60% cost share rate based on actual expenses to install the practice. Funds shall not exceed $7,500.00 per program year.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Critical Area Planting (with trees and shrubs) (1)	342A	15 yrs.
Critical Area Planting	342	10 yrs.
Diversion	362	10 yrs.
Fence	382	20 yrs.
Filter Strip	393	10 yrs.
Grassed Waterway	412	10 yrs.
Grade Stabilization Structure	410	15 yrs.
Obstruction Removal	500	10 yrs.
Tree Planting	612	15 yrs.
Vertical Drain (2)	630	20 yrs.

(1) Utilization of Trees/Shrubs with a Critical Area Treatment, refer to guidelines found in practice code 612, cost share rate for Trees/Shrubs is 60%.

(2) Vertical drain is classified as a Class V injection well and requires notification to the US Environmental Protection Agency, Region IV, Atlanta, Georgia. Notifications for inventory purposes only. Applicant must furnish Latitude and Longitude coordinates or a USGS 7.5' topographic map identifying the Quadrangle name and identifying mark of the Class V injection well site.

KSW2 - HEAVY USE AREA PROTECTION

Purpose

The purpose of this practice is to reduce soil erosion, soil degradation, and pollution caused by concentrated livestock traffic or other agricultural heavy use activities.

Application

Apply this practice under one or more of the following conditions:

- Erosion at the requested site is greater than soil loss tolerance.
- Soil movement or other non-point source pollutants constitute surface or groundwater pollution hazards.
- To protect the area around Livestock Watering Facilities.
- To prevent degradation of areas suitable for the winter feeding of cattle. Locate Heavy Use Area (HUA) feeding pads a minimum of 150 feet from streams, natural drains, or open sinkholes to minimize runoff from the area from causing degradation of water quality. HUAs are eligible only on applicant's farms where an NRCS grazing plan is in place or is developed in concert with the HUA installation. If an NRCS grazing plan is developed, KY-Graze software will be used. Stocking rates will be managed by the participant so as to prohibit overgrazing according to the rotational grazing plan. The applicants should have the minimum acreage for stocking rates, as outlined in the NRCS Grazing plan for their cattle, through property that they own and/or property that they control through a rental or lease, to be eligible for KSW2. Erosion, soil degradation, or pollution problems can often be alleviated by regularly "moving" portable feeding/haying facilities (hay ring, hay/feed trailer, portable troughs) to several different environmentally sound locations within the pasture, or even rotating livestock through a series of pastures. This management option should be discussed with the applicant as an alternative to KSW2.

***** Cost share assistance under this practice is **not authorized** for a Heavy Use Area (HUA) under any existing, or planned, roofed structure**.**

Cost Share Eligibility

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
♦ Soil degradation prevention. ♦ Soil stabilization. ♦ Water pollution prevention.	To prevent reoccurring pollution problems which cannot be fixed by change in management.	✓	
♦ Maintain or improve existing roads. ♦ Providing access roads.	Better support of agricultural equipment.		✓
♦ Critical area. ♦ Diversions. ♦ Filter strip. ♦ Permanent fence.	To protect agricultural heavy use areas from overland surface flow; to provide a filter strip to trap nutrients/sediments.	✓	

Requirements

State Cost Share funds will only be available for Heavy Use Areas (HUAs) installed on pastureland. State Cost Share funds will not be available for Heavy Use Areas (HUAs) installed in conjunction with KWP4 dry stack facilities.

Authorization of cost share is not approved for applicants who are resubmitting requests for the same location on behalf of the same person.

The applicant/landowner must comply with siting requirements and agree to follow needed cultural or management practices that extend the life of the heavy use area protection practice as defined in the NRCS standard and specifications practice code (Heavy Use Area Protection 561).

Program Development
Conservation Districts shall provide conditions required for cost sharing.

Cost Share Rate
The Commission has established a maximum of 60% cost share rate based on actual expense to install heavy use area protection practices, not exceeding $7,500 per program year.

Specifications
Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life Span
Animal Trails and Walkways	575	10 yrs.
Critical Area Planting (with no trees or shrubs)	342	10 yrs.
Diversion	362	10 yrs.
Fence	382	20 yrs.
Filter Strip	393	10 yrs.
Heavy Use Area Protection	561	10 yrs.

KSW3 - ROTATIONAL GRAZING SYSTEM ESTABLISHMENT

Purpose

The purpose of this practice is to protect grazing land, vegetative cover, and encourage plant diversity. It also makes practical use of the land for vegetative cover to control soil erosion and reduce water, air or land pollution from agriculture or silviculture non-point sources.

Application

Apply this practice where its adoption will achieve erosion control to meet tolerable soil loss levels through better distribution or proper rotation of grazing. Apply where it will result in better grassland management and protection of surface and/or groundwater from non-point source pollution.

* If an existing rotational grazing system is in place, and the applicant wishes to apply only for a livestock watering system, the existing rotational grazing system must meet the appropriate standards and specifications of NRCS in order to be eligible for cost share on the necessary livestock watering system components.

Requirements

1. Expand existing pastures to a minimum of **four** paddocks that are managed according to an approved rotational grazing plan. If an NRCS grazing plan is developed, KY-Graze software will be used.
2. Livestock numbers must be adequate to justify conversion to a rotational grazing system, based on the stocking rate as outlined in the NRCS rotational grazing plan.
3. Landowners or operators must not have adopted a rotational grazing system previously.
4. If an existing rotational grazing system is in place, and only a livestock watering system is needed to provide an adequate water supply, cost share will be available only for the necessary livestock watering system components.

Cost Share Policy

Measure	Measure's Purpose:	Authorized	Not Authorized
◆Constructing wells ◆Deepening wells ◆Well casings (wells must have adequate pumping equipment)	To make the conversion to a rotational grazing system	✓	
◆Dry wells ◆Pipe installed in the well ◆Pumping equipment ◆Pumps	To make the conversion to a rotational grazing system		✓

Develop: ◆Springs or seeps Utilizing: ◆Livestock ramps	Protect the development from pollution by livestock	✓	
Fence	Property boundary		✓

Dugouts: ◆Dams ◆**Permanently** installed pipelines, tanks and **fountains** ◆Pits ◆Ponds	To make the conversion to a rotational grazing system	✓	
Permanent fencing	To protect developed or existing water supplies from pollution by livestock	✓	
Reseeding grasses and legumes, **excluding Tall Fescue.**	To promote rotational grazing systems for livestock operations, in conjunction with a prescribed grazing plan NRCS Code 528A.	✓	
	NOTE: See Program Development guidelines concerning concentrated flow areas and restrictions.		

If land is eroding at "T" value or less, and a measure is installed to control erosion, **cost share is not authorized**. If land is eroding at "T" value or less, and the measure is installed to improve water quality in adjacent surface water or recharge areas, **cost share is authorized**.

Environmental Concerns

Consideration should be given to the need of wildlife and enhancing the appearance of the area.

Program Development

1. Conservation districts shall provide local oversight of the cost share program in accordance with the Cost Share Manual.
2. A prescribed grazing plan, USDA NRCS Technical Practice Code 528A, as defined in the NRCS Field Office Technical Guide shall be developed as part of the rotational grazing system.
3. Permanently installed tanks, troughs, fountains and pipelines shall follow USDA, NRCS Technical Practice Codes 614 and 516.
4. Cost share shall follow USDA NRCS Technical Practice Code 512 (planting), utilizing native and introduced species, excluding endophyte infected tall fescue. **Soil test is required for seeding practice.**

As an Example:

1 grass – 1 legume (cool season is permitted in 512 standard)
2 grasses - 1 legume
2 grasses - 2 legumes

Only applicable in conjunction with a prescribed grazing plan to entice applicants/landowners and promote them to a higher level of management.

NOTE: All concentrated flow areas, natural drainage areas, waterways, or other surface flow conveyance routes are to be maintained in Fescue and are not eligible to receive cost share assistance.

Cost Share Rate

The Commission has established incentive payment for conversion to an approved rotational grazing system at a maximum of $15 per acre. Additional incentive payments, not to exceed $10 per acre, will be paid for two consecutive years following the initial year of establishment. The conservation district will receive these additional incentive payments at the time of approval, however distribution of these funds will occur at the end of each of the following two crop seasons.

This incentive includes consideration for temporary fencing, and temporary water systems. Other approved practices shall not exceed the **75%** cost share rate based on actual expenses. All structural measures receive **75%** cost share within the fiscal year of Commission approval.

The Commission has established a maximum of $20,000 total cost share funds, including incentive payments, per program year for this practice.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Fence (permanent only)	382	20 yrs.
Nutrient Management	590	1 yr.
Pasture and Hayland Planting	512	10 yrs.
Pipeline	516	20 yrs.
Pond	378	20 yrs.
Spring Development	574	10 yrs.
Trough or Tank	614	10 yrs.

KSW4 - WATER WELL PROTECTION

Purpose

The purpose of this practice is to protect the quality of groundwater and well water supplies from contamination by agricultural non-point source pollution.

Application

Apply this practice where active or abandoned water wells are being contaminated by agricultural non-point source pollution.

Cost Share Policy

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
◆ Diversion channels. ◆ Fence. ◆ Land shaping, leveling, filling. ◆ Seed and seeding on critical areas around active or abandoned wells. ◆ Waterways.	To protect areas around a well.	✓	
◆ Water testing.	Evaluate conditions of an active well.	✓	
◆ Formed concrete. ◆ Rebar. ◆ Sealant.	Prevention of contaminants from entering a well.	✓	
◆ Construction of new wells. ◆ Casing, pumps, or pipelines. ◆ Well houses or other storage areas for pumps and equipment.			✓
	Repetition of this measure which was approved for the same person on the same acreage.		✓

Requirements

1. The producer must agree to comply with all federal, state, and local environmental laws.
2. The landowner must agree to follow needed cultural or management practices that extend the life of a water well protection practice.
3. When the water from the well is utilized for human consumption or dairy livestock watering, the requirements of the Kentucky State Health Department shall be met.
4. Each well shall be provided with a watertight cover to prevent contaminated water or other objectionable material from entering the well.
5. Before issuing state practice specifications, approved state offices shall consult representatives of the Kentucky State Health Department and CES.

Program Development

The conservation district shall provide conditions required for cost sharing.

Cost Share Rate

The Commission has established a maximum of 75% cost share rate based on actual expenses to install water well protection practices, not to exceed $7,500.00 per program year.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Critical Area Planting (no trees or shrubs).	342	10 yrs.
Diversion.	362	10 yrs.
Fence.	382	20 yrs.
Filter Strip.	393	10 yrs.
Grassed Waterway.	412	10 yrs.
Subsurface Drain.	606	20 yrs.
Underground Outlet.	620	20 yrs.
Well Decommissioning.	351	20 yrs.
Well Water Testing.	990	1 yr.

KSW5- ANIMAL WASTE UTILIZATION

Purpose

The purpose of this practice is to safely use wastes as fertilization for crop, forage, or fiber production while improving or maintaining soil structure, preventing erosion, and safeguarding water resources.

Application

By applying this practice to soil and vegetation, it will utilize the waste as fertilizer; minimize pollution of ponds, streams, lakes, wells, and sinkholes; and reduce the use of chemical fertilizers.

Eligibility for Cost Share

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
Completing soil tests and manure analysis.	Necessary to determine waste application rates.	✓	

Cost Share Prerequisites

1. An **approved waste storage facility must be in place** prior to disbursement of cost share funds for animal waste utilization.
2. Any applicable permits and appropriate renewals will be the responsibility of the landowner or operator prior to receiving cost share funds.
3. Authorization for cost share is not permitted for applicants who have been previously approved for the same parcel of land.
4. **A Comprehensive Nutrient Management Plan must be developed**, to achieve the level of nutrients required by the crop, balancing nutrients in the soil and from other sources applied in the form of fertilizer and animal manure. Incorporate technical references as required.

Cost Share Rate

The Commission has established a maximum of $15 per acre as an incentive payment for conversion to an approved waste utilization program based on rates specified in the nutrient management plan.

Additional incentive payments are not to exceed $10 per acre, for two consecutive years following the initial year of adoption. Rates will be based on those specified in the nutrient management plan.

Rates will be based on the recommendations specified in the nutrient management plan. Manure analysis and soil testing, as recommended by the technical agency, will be cost shared at a maximum of 75% of actual costs. Total cost of practice, including incentive payments for all three years, cost of soil testing and manure testing shall not exceed $7,500.00, including incentive payments, per program year.

Practice Lifespan
The system shall be maintained according to the standards found in figure 1-KSW5.

Program Development
The Conservation District shall provide the conditions for meeting Cost Share requirements. Technical specifications may be incorporated by reference.

Specifications
Specifications, plans, and construction must conform to the standards in the Technical Guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Table 1

Descriptive Title	Technical Practice Code	Life Span
Filter Strip.	393	No Cost Share
Nutrient Management Plan.	590	1 yr.
Waste Utilization: ♦Manure Analysis. ♦Soil Testing. ♦Waste Application.	633	1 yr.

KSW6 - FOREST LAND EROSION CONTROL SYSTEM

Purpose

The purpose of this practice is to protect the resource base by reducing erosion and sedimentation while enhancing water quality on forestland where disturbances are caused by silviculture or other activities.

Application

This practice should be applied to forestland that is subject to any of the following:

- Erosion which is greater than soil loss tolerance
- Soil movement that constitutes a surface or groundwater pollution hazard
- Negatively impacted soil and water resources as a result of silvicultural practices.

Cost Share Policy

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
◆Critical Area Protection. ◆Culverts. ◆Diversion. ◆Fence. ◆Filter Strip. ◆Grade Stabilization. ◆Water Bars.	Serves as a remedy to existing erosion caused by agricultural or silvicultural activities and to prevent erosion from silvicultural activities.	✓	
Fence	Property boundary		✓

Requirements

This practice may be used in conjunction with other federal, state, or local programs to address silvicultural activities. However, it will not duplicate or supply additional payments for components previously paid for by other cost share funds.

Practice Lifespan

The forestland erosion control system shall be maintained for at least 10 years after the calendar year of practice implementation.

Program Development

- Conservation Districts shall provide conditions required for cost sharing. Any technical specification may be included or incorporated by reference.
- Development of an agricultural water quality plan, silvicultural activity section, and a timber harvesting plan is recommended. Landowners may use private consultants or contact the Kentucky Division of Forestry for assistance.
- The Conservation Commission has established a 75% of cost of components in the current average statewide cost list maintained by NRCS and Farm Service Agency. Practice may not exceed $7,500 in total cost share funds per program year. Landowners may not receive more than 100% of the actual cost incurred.

Specifications

Specifications, plans, and construction must conform to standards set in the technical guide on file in the office of the local NRCS District Conservationist or reference to the KY Division of Forestry, Kentucky Forest Practice Guidelines for Water Quality Management and refer to appropriate Best Management Practices. (1)

Descriptive Title	Technical Practice Code	Life Span
Forest Land Erosion Control System	408	10 yrs.
Critical Area Planting (no trees or shrubs)	342	10 yrs.
Critical Area Planting (with trees and shrubs) (2)	342A	15 yrs.
Diversion	362	10 yrs.
Fence	382	20 yrs.
Filter Strip(3)	393	10 yrs.
Grade Stabilization Structure	410	15 yrs.

(1) Division of Forestry BMPs are applicable, but they are non-cost shared items.

(2) Utilization of Trees/Shrubs refers to guidelines for Trees/Shrubs of Practice Code 612.

(3) Refer to Filter Strip KY NRCS Standard and Specification, Practice Code 393.

KSW7 - STRIP INTERCROPPING SYSTEM

Purpose

The purpose of this practice is to reduce water, air, or land pollution from agricultural non-point sources. It also should increase plant diversity in order to improve pest control, fertilizer efficiency, and better utilize solar energy to produce food.

Application

Apply this practice to cropland that is subject to either:

1. Erosion greater than soil loss tolerance.
2. Soil movement that constitutes a surface or groundwater pollution hazard.
3. Mono-culture crop productions that create pest and disease problems, resulting in excessive pesticide applications.

Cost Share Policy

Procedure Needed:	Procedure Purpose:	Authorized	Not Authorized
Establishment of contour or field strip intercropping system.	◆ To reduce soil erosion to "T" or below. ◆ Protect water from pesticides or sediment.	✓	
Removal of obstacles: ◆Fences.	To properly install the system that is applied on acres devoted to row crops.	✓	
Subsurface Drainage.	Seepage makes cross-slope tillage impractical.	✓	
	Repetition of this measure which was approved for the same person on the same acreage.		✓

Requirements

For contour strip intercropping systems, cultural operations must be performed on the contour, as nearly as practical.

Practice Life Span

- The strip intercropping system shall be maintained for at least 5 years after the calendar year of implementation.
- If subsurface drains and obstruction removal are installed as the sole component according to cost share policy, the strip cropping system and subsurface drains shall be maintained for at least 10 years after the calendar year in which the drains were installed.

Program Development

Conservation districts shall provide minimum specifications upon which cost sharing is conditioned, such as strip width, spacing, qualifying crops, uses, and minimum quantity of different crops. Technical specifications may be incorporated by reference.

Cost Share Rate

The Commission has established a maximum of $12 per acre as an incentive payment for conversion to the strip intercropping system. Additional incentive payments are not to exceed $8 per acre. These will be paid for two consecutive years following the initial year of establishment. The conservation district will receive these additional incentive payments at the time of approval. However, distribution of funds will occur at the end of each of the following two crop seasons.

Other approved practices, such as obstruction removal and subsurface drainage, shall not exceed the 60% cost share rate to install and must be installed within the fiscal year of Commission approval. Cost share funds for this practice shall not exceed $7,500.00, including incentive payments, per program year as established by the Commission.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life Span
Obstruction Removal	500	10 yrs.
Stripcropping (contour)	585	5 yrs.
Stripcropping (field)	586	5 yrs.
Subsurface Drain	606	20 yrs.

KSW8 - STREAM CROSSING

Purpose
To improve water quality by removing access to the stream except where livestock, people or equipment must cross the stream by providing a single, stable crossing.

Application
Apply this practice where livestock, people, or equipment must cross an intermittent or perennial watercourse.

Cost-sharing is restricted to the ford type crossings using geotextile and rock.

Eligibility for Cost Share

• Excavation. • Site Preparation.	To permit installation of entrance/exit ramps and trenching for geotextile.	✓	
Fencing: Post, high tensile wire or other NRCS approved material. (1)	Exclusion of livestock from stream bank, upstream and downstream crossing.	✓	
Geotextile: (filter fabric) base and surfacing material (rock), anchoring pins.	Used for entrance and exit ramps, following NRCS standard and specifications Practice Code 576. (2)	✓	
Seeding: fertilizer, seed, mulch. (3)	Disturbed areas impacted by installation of this practice.	✓	
Fence	Property boundary		✓

(1) Adhere to NRCS Fence Standard & Specification Practice Code 382.
(2) Adhere to NRCS Stream Crossing Standard & Specification Practice Code 578.
(3) Utilize NRCS Critical Area Standard & Specification Practice Code 342.

Cost Share Rate
The Commission has established maximum cost share rate of 75% not to exceed $7,500 per program year.

Specifications

Practice and components must conform to NRCS standards and specifications in the technical guide on file in the local office of the NRCS District Conservationist. The landowner will be responsible for obtaining any applicable permits or certifications prior to construction.

Descriptive Title	Technical Practice Code	Life Span
Critical Area Planting	342	10 yrs.
Fence	382	20 yrs.
Stream Crossing (interim)	578	20 yrs.

KSW9 - CONSERVATION DISTRICT ENVIRONMENTAL GRANTS

Purpose

The purpose of this practice is to reduce agricultural non-point source pollution of surface or groundwater.

Application

This grant should be used for:

- Encouraging the adoption of new management techniques or measures that reduce the impact of agricultural pollutants on surface and groundwater.
- Educating the public about pollution problems while demonstrating effective alternatives to non-point source pollution practices.

Eligibility

- Any applicable permits and renewals will be the responsibility of the landowner or Conservation District prior to the receipt of cost share funds.
- Project funding must be requested with written documentation of community need, water quality or biological monitoring data to validate pollution problems.
- Projects should be submitted on a watershed or multi-watershed basis.
- Applications must identify pollutants that can be measured. Applicants should complete the cost share form to provide information about the project. If project pollutants are not addressed on this form, then a summary of pollutants and estimated quantities must be attached.
- Educational activities that support the proposed project should be addressed in the project application. The report should include targeted audience, material development, time schedules, etc.

Cost Share Policy

1. Cost sharing is authorized for components necessary to implement an approved project. If the project includes existing BMPs, then applicable standards, specifications, and identified components will be followed.

2. In most cases, cost sharing is not authorized for the purchase of equipment. Equipment necessary for project implementation may be obtained through other programs.

3. Cost sharing is not authorized for duplicating future projects within the same watershed or community.

4. Requests for cost share may only be partially funded at the discretion of the Commission.

5. Cost share recipients must sign performance and maintenance agreements prior to payment.

Environmental Concerns

Consideration shall be given to wildlife and environmental protection during project development.

Practice Life Span
Practices implemented under KSW9 shall be maintained for 10 years.

Program Development
The Conservation District shall provide conditions required for cost sharing.

Cost Share Rate
The Commission has established a maximum of 75% cost share rate based on actual expense of project implementation, not to exceed $7,500 per program year.

Example Projects (These are examples, funding not limited to these projects only.)
- Dead animal disposal program
- Innovative resource protection programs
- Integrated crop management workshop
- Oil collection program
- Pesticide container recycling
- Rural household chemical recycling
- Rural septic installation workshop
- Constructed wetlands
- Composting demonstration, utilization

KSW10 – CROPLAND EROSION CONTROL SYSTEMS

Purpose

The application of this practice is for the planning and installation of erosion control practices on cropland only and shall apply only to HEL cropland fields as identified in the conservation plan.

Application

This practice should be applied to **cropland fields** that were in crops the year prior to application for the purpose of controlling soil erosion, water disposal, and for excess surface water from natural concentrations within cropland fields without causing erosion. For the prevention/formation of gullies in crop fields, to reduce pollution potential, and for the enhancement of environmental quality benefits. Use of this practice is restricted only to cropland and is **NOT TO BE UTILIZED ON PASTURELAND.**

Eligibility for Cost Share

Type of Component	Used For	Authorized	Not Authorized
Land shaping, leveling, filling, excavation, site preparation, tile or pipe installation.	Construction of one of the eligible listed practices in Table 1.	✓	
Geotextile: (filter fabric), rock (only as designed for specific practice), CPDT (only for design of waterway), plastic PVC pipe (only for use as inlet or outlet in practice design).	Component identified in design standard for one of the eligible listed practices in Table 1.	✓	
Fencing material.	**Property Boundary**		✓
Fencing material according to criteria in KY NRCS practice code, Fence 382.	Exclusion of livestock to areas needing grazing protection or to restrict access to areas by people or equipment or as needed to technically protect the practice.	✓	

Eligibility for Cost Share (continued)

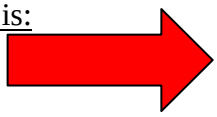
Type of Component	Used For	Authorized	Not Authorized
Seeding materials (seed, lime, fertilizer, mulch, netting)	Seeding required to vegetate disturbed area during construction and is necessary to control erosion of an eligible listed practices in Table 1	✓	
Construction of any practice listed in Table 1 that is: 	Installed on land that is devoted to permanent pasture or land that is devoted to hayland		✓

Table 1

Practice Title	Practice Code	Lifespan
Diversion	362	10 Years
Fence	382	20 Years
Grade Stabilization Structure	410	15 Years
Grassed Waterway	412	10 years
Mulching	484	1 Year
Sediment Basin	350	20 Years
Subsurface Drain	606	20 Years
Terrace	600	10 Years
Water and Sediment Control Basin	638	10 Years

Cost Share Rate
The Commission has established a maximum of 75% cost share rate based on actual expenses not to exceed $7,500.00 per program year.

Practice Eligibility Requirements
This practice is **only eligible for conservation treatment on HEL cropland.** This practice is **not to be used on pastureland, hayland or in other areas that are not cropland.** Fields that are in need of treatment and may be rotated back to grassland are eligible if **all of the following conditions are met**:

1. The field was planted to a listed crop in the year previous to sign-up:(i.e.: tobacco, soybeans, corn [grain or silage], vegetables, wheat, canola, sunflowers, potatoes, barley, oats).

2. The field must be planned to a Resource Management System (RMS) level of treatment, meeting the quality criteria for soil erosion planned at "T" (soil loss tolerance level) or below using NRCS Revised Universal Soil Loss Equation "RUSLE".

3. For conservation treatment in fields that are eligible and will be rotated back to grassland **the treatment area (i.e. Grassed Waterway, Diversion, Terrace, Water and Sediment Control Basin) must be protected from livestock by fencing, Cost Shared or Non-Cost Shared, until vegetation is established. Local Conservation District official and local NRCS District Conservationist shall verify livestock exclusion before cost share payment is received.**

4. The formula to be utilized for calculation of gully erosion rates will be the same as EQIP Gully Erosion Worksheet.

   Top Width (TW) + Bottom Width (BW) / 2 x Length (L) x Depth (D) x 100 lbs./2000 lbs. / 1 year = Gully Erosion.
   If more than one gully exists in the treatment field, calculate erosion using the same formula and enter the total in the appropriate column in item C. Gully Erosion Sediment (Other Erosion) in the application form.
   Utilize the worksheet for gully erosion and file with applicant's copy.

   Specifications
   Specification, plans, and construction must conform to the standards set in Section IV of the FOTG of the local NRCS District Conservationist. The practice **must be maintained for the lifespan as indicated by the appropriate Practice Code listed in Table 1, and is subject to periodic inspection by local Conservation District personnel and NRCS representatives.**

2000 Kentucky Soil Erosion and Water Quality Cost Share Program
Gully Erosion Worksheet for KSW 10 Cropland Erosion Control Systems

Applicant: _____ Applicant Number: _____

County: _____ Prepared By: _____

Date: _____

Top Width (TW) + Bottom Width (BW) / 2 x Length (L) x Depth (D) x 100 lbs. / 2000 lbs. / 1 year = Tons

Gully No.

_____ TW_____ + BW_____ / 2 x L_____ x Depth_____ x 100 lbs. / 2000 lbs. / 1 = _____tons
_____ TW_____ + BW_____ / 2 x L_____ x Depth_____ x 100 lbs. / 2000 lbs. / 1 = _____tons
_____ TW_____ + BW_____ / 2 x L_____ x Depth_____ x 100 lbs. / 2000 lbs. / 1 = _____tons
_____ TW_____ + BW_____ / 2 x L_____ x Depth_____ x 100 lbs. / 2000 lbs. / 1 = _____tons
_____ TW_____ + BW_____ / 2 x L_____ x Depth_____ x 100 lbs. / 2000 lbs. / 1 = _____tons
_____ TW_____ + BW_____ / 2 x L_____ x Depth_____ x 100 lbs. / 2000 lbs. / 1 = _____tons

Total Tons: _____

Enter total on application in Section B, Item 3.C.4.-Gully Erosion (Other Erosion)

If additional space is needed for calculations, show work below:

KSW11 - PASTURE & HAYLAND EROSION CONTROL
NEW 11/19/01

Purpose

The application of this practice is for the planning and installation of erosion control practices on pasture and hayland.

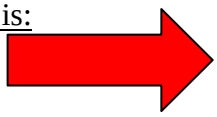
Application

This practice should be applied to pasture and hayland fields that were in that use the year prior to application for the purpose of controlling soil erosion, water disposal and for excess surface water from natural concentrations within fields without causing erosion. For the prevention/formation of gullies in pasture and hayland fields, to reduce pollution potential, and for the enhancement of environmental quality benefits.

Eligibility for Cost Share

Type of Component	Used For	Authorized	Not Authorized
Land shaping, leveling, filling, excavation, site preparation, tile or pipe installation.	Construction of one of the eligible listed practices in Table 1.	✓	
Geotextile (filter fabric), rock (only as designed for specific practice), CPDT (only for design of waterway), plastic PVC pipe (only for use as inlet or outlet in practice design), riser inlet kits.	Component identified in design standard for one of the eligible listed practices in Table 1.	✓	
Fencing material.	**Property Boundary**		✓
Fencing material according to criteria in KY NRCS practice code, Fence 382.	Exclusion of livestock to areas needing grazing protection or to restrict access to areas by people or equipment or as needed to technically protect the practice.	✓	

Eligibility for Cost Share (continued)

Type of Component	Used For	Authorized	Not Authorized
Seeding materials (seed, lime, fertilizer, mulch, netting)	Seeding required to vegetate disturbed area during construction and is necessary to control erosion of an eligible listed practices in Table 1	✓	
Construction of any practice listed in Table 1 that is: 	Installed on land that is devoted to permanent cropland		✓

Specifications

Practice and components must conform to NRCS standards and specifications in the technical guide on file in the local office of the NRCS District Conservationist. The landowner will be responsible for obtaining any applicable permits or certifications prior to construction.

Table 1

Practice Title	Practice Code	Lifespan
Critical Area Stabilization	342	10 Years
Fence	382	20 Years
Grade Stabilization Structure	410	15 Years
Grassed Waterway	412	10 years
Mulching	484	1 Year
Subsurface Drain	606	20 Years

Cost Share Rate

The Commission has established a maximum of 75% cost share rate based on actual expenses not to exceed $7,500.00 per program year.

KSW12 – STREAMBANK STABILIZATION
NEW 11/19/01

Purpose

The application of this practice is for the planning and installation of erosion control, bioengineering practices, native material revetments, channel stability structures, and/or the restoration or management of riparian corridors up-gradient from streams, restoring the natural function of the stream corridor, and improving water quality.

Application

This practice should be applied to agriculture operations where the natural streambank has been severely damaged by livestock access, or other activities associated with agricultural operations.

* KSW12 is only authorized for streambank protection measures on streams with a drainage area of 390 square miles (250,000 acres) or less. In addition, all Streambank Protection (580) sites will require a Riparian Forested Buffer (391) be installed, or maintained, in conjunction with the installation of the streambank protection measures.

** If application is in conjunction with CP21 Filter Strip under the Conservation Reserve Program (CRP), please note in an email and send, along with the electronic application, to the Division of Conservation.

Eligibility for Cost Share

Type of Component	Used For	Authorized	Not Authorized
Filter fabric, riprap, bioengineering components, gabion baskets	Construction of Streambank and Shoreline Protection (580) and any of the associated or component practices in Table 1	✓	
Earthmoving (grading, shaping, site preparation)	Construction of Streambank and Shoreline Protection (580) and any of the associated or component practices in Table 1	✓	
Fencing material.	**Property Boundary**		✓
Fencing material according to criteria in	Exclusion of livestock to areas needing grazing	✓	

KY NRCS practice code, Fence 382.	protection or to restrict access to areas by people or equipment or as needed to technically protect the practice.		

Eligibility for Cost Share (continued)

Type of Component	Used For	Authorized	Not Authorized
Seeding materials (seed, lime, fertilizer, mulch, netting)	Seeding required to vegetate disturbed area during construction and is necessary to control erosion of any eligible listed practices in Table 1	✓	

Specifications

Practice and components must conform to NRCS standard Streambank and Shoreline Protection (580) in the technical guide on file in the local office of the NRCS District Conservationist. The landowner will be responsible for obtaining any applicable permits or certifications prior to construction.

Table 1

Practice Title	Practice Code	Lifespan
Critical Area Stabilization	342	10 Years
Fence	382	20 Years
Riparian Forested Buffer	391	15 Years
Filter Strip	393	10 Years
Grade Stabilization Structure	410	15 Years
Livestock Exclusion	472	20 Years
Stream Crossing	576	10 Years
Tree Planting	612	15 Years
Mulching	484	1 Year

Cost Share Rate

The Commission has established a maximum of 75% cost share rate based on actual expenses not to exceed $20,000 per program year.

Program Development

- Conservation Districts shall provide local oversight of the cost share program in accordance with the Cost Share Manual.
- Planned practices require a contract with the Kentucky Division of Water for all proposed sites for a Water Quality Certification or other permit determinations.
- On livestock operations, fencing off the stream and installation of either a filter strip with a minimum width of 20 feet or a riparian forest buffer with a minimum width of 50 feet is mandatory.
- On cropland, installation of either a filter strip with a minimum width of 20 feet or a riparian forest buffer with a minimum width of 50 feet is mandatory.

KWP4 - AGRICULTURAL WASTE CONTROL FACILITIES

Purpose
The purpose of this practice is to reduce existing water, land, or air pollution caused by agricultural waste.

Application
Apply this practice to areas of farmland where agricultural waste from the farm constitutes a significant pollution hazard.

Eligibility for Cost Share

Type of Component	Component used for:	Authorized	Not Authorized
Waste storage facilities such as: ♦ Aerobic or anaerobic lagoons ♦ Channels ♦ Diversions ♦ Dry stacks ♦ Holding ponds ♦ Land shaping ♦ Liquid manure tanks ♦ Outlet structures ♦ Piping ♦ Poultry composting facilities ♦ Equine waste composting facilities ♦ Settling or Collection basins ♦ Waterways	Part of a system to manage agricultural wastes which contributes significantly to maintaining or improving soil or water quality	✓*	
Permanently installed equipment for transportation of waste to storage structures. Ex: lift pumps for transfer of liquid waste to the waste storage facility.	Integral part of the system	✓*	
Electrical wire, electrical switches, control panels, micro-switches or labor for electrical contractor for wiring and installation	Transferring electrical current		✓

♦Critical area planting ♦Fencing ♦Mulching	Protection of the facility	✓	
♦Filling ♦Leveling	To permit installation of an effective system	✓	
Waste storage facilities **	Storing, handling, or disposal of chemicals used in farming operations		✓
Waste Storage Facility **	Newly converted livestock, poultry, or other operation	✓*	
♦Agricultural waste spreading ♦Buildings ♦Irrigation pipelines as distribution systems ♦Modification of buildings ♦Portable pumps and equipment	Primarily for prevention of air pollution with no soil and water conservation benefits		✓
♦Travel lanes, trails or walkways	Provide movement for livestock through sensitive areas	✓	
	Installations which are primarily for the operator's convenience		✓

*= Cost Share shall be limited to the minimum size needed to solve or prevent the conservation problem

** State Cost Share funds are no longer available for feeding areas. State cost share funds will, however, be available for dry stack facilities used in conjunction with existing roofed feeding facilities, or non cost shared newly constructed roofed feeding facilities. In order for the dry stack facilities to be eligible for State Cost Share funds, the construction of any new non cost shared feeding facility must be completed prior to or in conjunction with the completion of the cost shared dry stack facility. Roofing components of the cost shared structure may not be attached to the non cost shared structure(s).

Cost Share Rate

The Commission has established a limit of 75% cost share rate to a maximum of $20,000 in cost share funds per facility per program year.

Practice Lifespan

The practice shall be maintained according to the standards found in figure 1- KWP4.

Program Development

- Conservation Districts shall provide local oversight of the cost share program in accordance with the Cost Share Manual.
- Cost share will be allowed for travel lanes, trails, or walkways for the movement of beef and dairy livestock to minimize erosion and to protect sensitive areas.
- **The operation that is applying for cost share must have livestock or poultry present at the time of application. (If poultry consult section below).**

- All permitting procedure guidelines with Division of Water must be followed.
- Electrical wiring may be attached to the structure only after the practice has been certified by NRCS.
- No other structures may be attached to the cost-shared structure.
- The eligible cost share components necessary to fabricate the covered portion of the dry stack facility include: trusses, posts, purlins, nails, bracing and supports, roofing material consisting of the roof surfacing (metal or other approved material) and the sheeting attached to the trusses, guttering and downspouts, overhang fascia board, and guttering supports.
- An approved Waste Storage Facility must be in place prior to disbursement of cost share funds for animal waste utilization.
- **A Nutrient Management Plan and Animal Waste Utilization Plan meeting NRCS Practice Standards 590 and 633 must be developed.**
- **Cost share assistance is available for construction of poultry litter storage sheds on a farm(s) or tract(s) with the following conditions:**
  - **All litter storage sheds are required to be maintained and used for the purpose of storing waste during periods identified in the Waste Management Plan in accordance with USDA NRCS standards and specifications and are to be maintained for the life span of the practice.**
  - **Priority will be given to KWP4 applications where poultry litter storage sheds are needed to store litter on a farm/tract where the applicant owns the poultry production facilities generating the poultry litter/waste and utilizes the litter/waste on that same farm/tract through a nutrient management plan.**

Practice Maintenance

The practice must be maintained and used throughout its normal life span for the conservation purpose for which cost sharing was approved. This includes performing normal repairs, upkeep, and maintenance. Destruction of or substantial damage to the practice, discontinuing use of the practice before the lifespan expires, converting the practice to uses other than the conservation purpose, or any other use or misuse of the practice so that it fails to meet its conservation purpose shall be considered a violation of the Performance and Maintenance Agreement. An example of a violation would be using the practice to store farm equipment at any time period during the year or storing hay without an appropriate practice maintenance waiver on file (see Practice Maintenance Waiver section below).

Practice Maintenance Waiver (Standard form on page 88)

Local conservation district boards of supervisors have the authority to grant a "practice maintenance waiver" on an applicant's request to temporarily use a manure dry stack facility or an existing covered feeding structure to store hay. **Note that this waiver only applies to the storage of hay. Also note that litter storage sheds are not eligible for practice maintenance waivers.** A waiver would have to be in writing by the applicant to the local board of supervisors. This would consist of a waiver from the applicant requesting a temporary change in the cost share contract for a set period of time and if granted by the local board of supervisors, they would check applicant's sites to ensure that the waiver conditions had been adhered to and followed. It is the responsibility of the local board to police and enforce the waiver conditions they have granted and take appropriate actions to recover cost share funds if the applicant

violates the conditions of the cost share contract and waiver. This waiver cannot be granted during periods when the structure is required to fulfill its intended purpose. For covered feeding structures, that period would be between November 1st and April 30th.

Specifications

Specifications, plans, and construction must conform to the standards set in the NRCS Field Office Technical Guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Figure 1 KWP-4

Descriptive Title	Technical Practice Code	Life - Span
Composting Facility	317	15 yrs.
Critical Area Planting	342	10 yrs.
Dike	356	20 yrs.
Diversion	362	10 yrs.
Fence	382	20 yrs.
Filter Strip	393	10 yrs.
Grassed Waterway	412	10 yrs.
Mulching	484	1 yr.
Pond Sealing or Lining	521	See applicable life span
Roof Runoff Management	558	15 yrs.
Animal Trails & Walkways	575	20 yrs.
Sediment Basin	350	20 yrs.
Underground Outlet	620	20 yrs.
Waste Storage Facility	313	15 yrs.

2006 Performance and Maintenance Agreement for KWP4

Name: _____

County: _____

As an applicant for state cost share funds, it is understood that my receipt, retention and use of such funds is strictly conditioned upon acceptance of the following guidelines:

For Covered Stackpads:

1. The structure is to be used **only** for storing manure and must be utilized for this purpose at all times during the lifespan of the practice.
2. The structure may be used to store hay from May 1st through October 31st if the landowner has a Practice Maintenance Waiver on file in the local district office. Note that this waiver is only for the storage of hay, and, at no time, may equipment or other materials be stored in the structure.
3. The structure must be emptied periodically, in accordance with an approved nutrient management plan, to allow for the continued storage of waste.
4. The structure may not be altered in any fashion.
5. No structure may be attached to the cost-shared structure.
6. The integrity of the structure must be maintained so that the structure may be used for its intended purpose of storing manure during the lifespan of the practice.
7. For systems that include a holding pond, the holding pond must be emptied periodically, in accordance with an approved nutrient management plan, to allow for continued storage of waste.
8. The construction and NRCS certification of this practice must be completed by June 30, 2007 in order to receive funding. The conservation district may request up to two 6-month extensions for this practice. To be approved for additional time, the conservation district must request these extensions in writing before the original time period expires. Funding will not be available for this practice if it is not completed and certified by June 30, 2008.

   I understand that failure to sign this agreement may result in the Commonwealth's refusal to award state cost share funds to the applicant. I also understand that the failure on the part of the applicant to comply with any of the criteria set forth above may result in the applicant's being obligated to return cost share funds received. It is further understood that the Commonwealth is authorized and empowered to file suit in the Franklin Circuit Court for recovery of said funds if necessary.

_____ _____

Applicant's Signature Date

_____ _____

NRCS District Conservationist's Signature Date

_____ _____

Conservation District Chairman's Signature Date

_____ _____

Stephen A. Coleman, Director Date
Division of Conservation

2006 Performance and Maintenance Agreement for KWP4

Name: _____

County: _____

As an applicant for state cost share funds, it is understood that my receipt, retention and use of such funds is strictly conditioned upon acceptance of the following guidelines:

For Poultry Litter Storage Facilities:

1. The structure is to be used **only** for storing poultry litter and must be utilized for this purpose at all times during the lifespan of the practice.
2. There is no waiver for poultry litter storage facilities. The structure may not be used for the storage of hay, equipment, or other materials at any time.
3. The structure must be emptied periodically, in accordance with an approved nutrient management plan, to allow for the continued storage of waste.
4. The structure may not be altered in any fashion.
5. No structure may be attached to the cost-shared structure.
6. The integrity of the structure must be maintained so that the structure may be used for its intended purpose of storing poultry litter during the lifespan of the practice.
7. The construction and NRCS certification of this practice must be completed by June 30, 2007 in order to receive funding. The conservation district may request up to two 6-month extensions for this practice. To be approved for additional time, the conservation district must request these extensions in writing before the original time period expires. Funding will not be available for this practice if it is not completed and certified by June 30, 2008.

   I understand that failure to sign this agreement may result in the Commonwealth's refusal to award state cost share funds to the applicant. I also understand that the failure on the part of the applicant to comply with any of the criteria set forth above may result in the applicant's being obligated to return cost share funds received. It is further understood that the Commonwealth is authorized and empowered to file suit in the Franklin Circuit Court for recovery of said funds if necessary.

_____ _____

Applicant's Signature Date

_____ _____

NRCS District Conservationist's Signature Date

_____ _____

Conservation District Chairman's Signature Date

_____ _____

Stephen A. Coleman, Director Date
Division of Conservation

2006 Practice Maintenance Waiver

Name:_____ County:_____

Address:_____ Cost Share ID Number:_____

_____

I request a practice maintenance waiver in order to use my covered stackpad, funded under KWP4 of the State Cost Share Program, to temporarily store hay from May 1st to October 31st. I understand that this waiver only applies to the storage of hay. I also understand that the installed practice must be used for its intended conservation purpose from November 1st to April 30th. I understand that any misuse of the practice during its lifespan is a violation of the Performance and Maintenance Agreement, and, in such circumstances, the local board of supervisors and/or the Division of Conservation will attempt to recover cost share funds. I agree to allow representatives of the local conservation district on my property to inspect this facility, to ensure compliance with the waiver and the cost share agreement.

_____ _____

Applicant's signature Date

APPROVAL OF WAIVER:

_____ _____

Board Supervisor's signature Date

KWP5 – CLOSURE OF AGRICULTURAL WASTE IMPOUNDMENT

Purpose
The purpose of this practice is to protect water resources and eliminate a potential safety hazard.

Application
Apply this practice to areas of farmland where agricultural waste impoundments are no longer utilized as a part of a waste management system, are to be permanently closed or abandoned, and constitute a significant pollution and/or safety hazard.

Eligibility for Cost Share

Type of Component	Component used for:	Authorized	Not Authorized
♦Critical area planting ♦Fencing ♦Mulching	Protection of the disturbed areas	✓*	
♦Filling ♦Leveling	To permit effective closure of system	✓*	
♦Agricultural waste spreading	Primarily for prevention of air pollution with no soil and water conservation benefits	✓*	
	Installations which are primarily for the operator's convenience		✓

*= cost share shall be limited to the minimum needed to solve or prevent the conservation problem.

Cost Share Rate
The Commission has established a limit of 75% cost share rate to a maximum of $20,000 in cost share funds per facility per program year.

Practice Lifespan
The practice shall be maintained according to the standards of KWP5 and for a minimum life of 5 years.

Program Development
Conservation Districts shall provide local oversight of the cost share program in accordance with the Cost Share Manual.

Specifications

Specifications, plans, and construction must conform to the standards set in the USDA, NRCS Technical Guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life - Span
Critical Area Planting	342	10 yrs.
Land Application	633	1 yrs.
Diversion	362	10 yrs.
Closure of Waste Impoundment	360	10 yrs.
Filter Strip	393	10 yrs.
Grassed Waterway	412	10 yrs.
Mulching	484	1 yr.

Policies

1. Technical and financial assistance from this practice is appropriate to ensure water quality protection in situations where farmers are going out of business or where a landowner who was not an operator has an abandoned waste storage/treatment system on his/her property. All applicants who are closing an existing operation, one that has recently gone out of business or correcting water quality concerns on an abandoned operation must follow these guidelines:

    a. The cooperator/landowner did not receive any financial assistance to install the system.

    b. The applicant demonstrates clearly in the application provided to the Division that the proposed facility or abandoned system is in a condition that is creating a water quality problem or presents a potential water quality problem if not corrected.

    c. Each application must contain the following information and must be received by the Division prior to approval:

        1. Length of time system has been abandoned.

        2. Indication of status with Division of Water (i.e. has farm received a Notice of Violation or operational permit.)

        3. Volume of system based on length, width, depth of liquid/sludge and slopes.

4. Describe the method that will be used to empty the waste and transfer the waste from the impoundment and when/where land application will occur. In situations where pumping is impractical because of consistency of sludge (i.e. solid), sludge may be excavated. Estimates should include information regarding how waste is to be removed (i.e. drag line, agitate and pump, etc.)

5. Surface acreage of the lagoon.

6. A profile of the dam and how it is to be breached, if applicable.

7. A statement signed by the applicant/landowner that he/she will not re-implement the system and that no confined animal operation will be started on that farm for five years.

d. Cost Share Program funds will be used for the removal of waste only (not for the removal of fill or foreign materials), and for stabilization of site. Removal of foreign materials will be at the landowner's expense and must be removed according to state and federal guidelines. Cost for closure is limited to 75% of actual cost and not to exceed a total of $20,000 per applicant. Receipts and a copy of the waste analysis report must accompany Request for Payments.

e. Breaching of any diked or dammed structures is optional; however all disturbed areas will be vegetated to permanent grass, trees, or wildlife plantings. NRCS Standards will apply to all vegetated areas.

KWP7 - RIPARIAN AREA PROTECTION

Purpose

The purpose of KWP7 is to remove nutrients, sediment, organic matter, and pesticides from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes. This results in reducing pollution and protecting surface and subsurface water quality while enhancing the ecosystem.

Application

Apply this practice to land adjacent to or surrounding: permanent or intermittent streams, lakes, ponds, and intermittent or permanently flooded wetland, sinkholes, Karst areas, and other groundwater recharge areas.

The adjacent contributing land must be one of the following: cropland, pastureland, hayland, or woodland.

Cost Share Eligibility

1. The practice must meet all federal, state, and local environmental laws.
2. The participant must agree to allow USDA personnel access to the site to review and evaluate the practice. The participant must also be implementing a conservation plan on the contributing area. Additionally, the participant must also secure all necessary permits before starting construction of practice.
3. The use of fertilizers and pesticides is only permitted if covered by an operations and maintenance plan developed for the practice by the designated technician.
4. Livestock crossing facilities that will prevent sedimentation and pollution. The installation of crossings is limited to small streams where flooding is not a serious problem. Refer to State KSW-8.

NOTE: The requirements for this practice, including eligible seed mixtures, nutrients and limestone must be specified in the practice specifications as developed by the designated technician.

Cost Share Rates

The Commission has established a maximum of 75% cost share rate of actual expenses to establish riparian buffer strips, not to exceed $7,500.00 total per program year.

Specifications

Specifications, plans, and construction must conform to the standards set in the technical guide on file in the office of the local NRCS District Conservationist. Practice components are included in the following list:

Descriptive Title	Technical Practice Code	Life Span
Fence (non-boundary)	382	20 yrs.

Field Borders	386	10 yrs.
Pipeline	516	20 yrs.
Pond	378	20 yrs.
Riparian Forest Buffer	391A	15 yrs.
Spring Development	574	10 yrs.
Trough or Tank	614	10 yrs.

KCREP 1 – CONSERVATION COVER
NEW 11/19/01

Definition
To establish and maintain perennial vegetative cover to protect soil and water resources on land retired from agricultural production.

Purpose
The purpose of this practice is to reduce soil erosion and sedimentation, improve water quality, and create or enhance wildlife habitat.

Application
Apply this practice to cropland or other sensitive areas that are subject to erosion, soil and nutrient or pesticide movements that constitute a pollution hazard.

Cost Share Policy

Procedure Needed:	CREP Practices	Authorized	Not Authorized
Establishment of permanent vegetative cover on land retired from agricultural production.	CP1 – Introduced Grasses and Legumes CP2 – Native Grasses CP3 – Tree Planting (pines) CP3A – Hardwood Tree Planting	✓	
Fencing.	Boundary Fences		✓
Minerals. Seed. Seedbed preparation. Seeding: • Tree/Shrub Seedlings. • Tree/Shrub Planting. • Forest Site Preparation. • Other eligible components according to FSA program guidance.	CP1 – Introduced Grasses and Legumes CP2 – Native Grasses CP3 – Tree Planting (pines) CP3A – Hardwood Tree Planting	✓	

Requirements

1. Eligible lands are restricted to areas approved by USDA for participation in the Conservation Reserve Enhancement Program (CREP) using Farm Service Agency program guidelines.
2. Program participants must have a current CREP contract approved by the FSA county committee.
3. Program participants must be in compliance with CREP contract provisions as determined by FSA.
4. This practice is eligible under the continuous sign-ups of the Green River CREP program.

Environmental Concerns

Consideration shall be given to wildlife and environmental protection when designing this practice.

Practice Development

Conservation cover practices must be established in accordance with the NRCS Conservation Cover (327) standard.

Cost Share Rate

Cost share portion will be based on 25% of the cost as determined by FSA according to the AD-245 used for USDA CREP payments, not to exceed $7,500.00 per program year.

Incentives

Based on the AD-245 used for USDA CREP payments, the following incentives are available for practice installation and, combined with cost share payment, can not exceed $7,500.00:

- 75% for land entering into a permanent easement.
- 50% for land entering a 15-year supplemental contract.
- 25% for non-easement contracts.

Specifications

Practices must meet the NRCS standard for Conservation Cover (327) as specified in the technical guide on file in the office of the local NRCS District Conservationist. The practice lifespan shall be consistent with USDA CREP guidelines. Associated practices are included in the following list:

Descriptive Title	Technical Practice Code
Conservation Cover	327
Forest Site Preparation	490
Tree Planting	612

KCREP 2 – CONSERVATION BUFFERS
NEW 11/19/01

Purpose
The purpose of this practice is to provide wildlife habitat and to remove sediment and other pollutants from runoff by filtration, deposition, infiltration, adsorption, absorption, decomposition, and volatilization.

Application
Apply this practice to cropland, marginal pastureland, or other sensitive areas that are subject to erosion, soil and nutrient or pesticide movements that constitute a pollution hazard.

Cost Share Policy

Procedure Needed:	CREP Practices	Authorized	Not Authorized
Components as defined in the FSA National CRP Manual, 2-CRP, Exhibit 9 for respective practices.	CP8A – Grassed Waterways CP15A – Contour Grassed Strips CP21 – Filter Strips CP22 – Riparian Forest Buffers	✓	

Requirements
1. Eligible lands are restricted to areas approved by USDA for participation in the Conservation Reserve Enhancement Program (CREP) using Farm Service Agency program guidelines.
2. Program participants must have a current CREP contract approved by the FSA county committee.
3. Program participants must be in compliance with CREP contract provisions as determined by FSA.
4. This practice is eligible under the continuous sign-ups of the Green River CREP program.

Environmental Concerns
Consideration shall be given to wildlife and environmental protection when designing this practice.

Cost Share Rate
Cost share portion will be based on 25% of the cost as determined by FSA according to the AD-245 used for USDA CREP payments, not to exceed $7,500.00 per program year.

Incentives
Based on the AD-245 used for USDA CREP payments, the following incentives are available for practice installation and combined with cost share payment can not exceed $7,500.00:
- 75% for land entering into a permanent easement.
- 55% for land entering a 35-year supplemental contract for lands enrolled as riparian buffers.
- 50% for land entering a 15-year supplemental contract.
- 25% for non-easement contracts.

Practice Development and Specifications

Conservation buffer practices must be established in accordance with the following NRCS practice standards and any practice establishment guidelines specific to CREP.

CREP Practices	NRCS Standard
CP8A – Grassed Waterways	Grassed Waterway (412)
CP15A – Contour Grassed Strips	Contour Buffer Strip (332)
CP21 – Filter Strips	Filter Strip (393)
CP22 – Riparian Forest Buffers	Riparian Forest Buffer (391)

Additional eligible practices and components that are needed as defined in 2-CRP, Exhibit 9 must meet respective NRCS standards.

KCREP 3 – LIVESTOCK WATERING SYSTEMS
NEW 11/19/01

Purpose

The purpose of this practice is to provide alternative water sources for livestock in situations where streams are accessed and pollution potential exists.

Application

Apply this practice to pasture lands that are not eligible for CREP under federal guidelines and where streams are used by livestock as a water source.

Cost Share Policy

Procedure Needed:	Procedure Purpose	Authorized	Not Authorized
Install pipelines, tanks, or limited access points in streams.	Provide livestock water.	✓	
Fence.	Exclude livestock from stream to prevent erosion and improve water quality.	✓	
Ponds, wells, and spring developments.	Provide livestock water source.		✓
Pumps, electrical accessories.	To pump water from wells, streams and other sources.		✓
Filter strips, riparian buffers.	To provide a buffer that meets NRCS standards and CREP guidelines.		✓
Fence.	Exclude livestock from pond to improve water quality, or as a property boundary.		✓

Requirements

1. Eligible lands are restricted to areas within the approved CREP boundary that do not meet the FSA program eligibility criteria for CREP.
2. Eligible lands must be in pasture and adjacent to streams being accessed by livestock.
3. Fence must be installed at the edge of existing tree lines or at the top of the bank at a minimum.
4. If buffer areas exist, they do not have to be enhanced to meet federal CREP guidelines or NRCS Practice Standards to be eligible for CREP.

Environmental Concerns

Consideration shall be given to wildlife and environmental protection when designing this practice. Participants should be encouraged to install a buffer at their own cost and as wide as possible inside the fenced area.

Cost Share Rate

Cost share will be based on 75% of the actual cost not to exceed the cost of components in the state average cost list maintained by NRCS and FSA. Total cost share for the practice shall not exceed $7,500.00 per program year.

Practice Development and Specifications

Watering facilities must be established in accordance with the following NRCS practice standards.

Practice Title	NRCS Practice Code	Life Span
Pipeline.	516	20 years
Trough or Tank.	614	10 years
Fence.	382	20 years
Stream Crossing (Limited Access Points).	576	10 years